

May 8, 1981

LB 328A, 394

SENATOR CLARK: Senator Kilgarin, 328A.

SENATOR KILGARIN: I move we advance LB 328A to E & R for Engrossment.

SENATOR CLARK: You have heard the motion. All those in favor say aye. Opposed. The bill is advanced. LB 394.

CLERK: Mr. President, I have E & R amendments to LB 394.

SENATOR CLARK: Senator Kilgarin. The E & R amendments to 394.

SENATOR KILGARIN: I move to adopt the E & R amendments to LB 394.

SENATOR CLARK: The E & R amendments to 394. All those in favor say aye. Opposed. They are adopted.

CLERK: I have an amendment from Senator Newell who is excused.

SENATOR CLARK: Who from?

CLERK: Newell.

SENATOR CLARK: Senator Newell, is anyone taking the amendment for him?

CLERK: Mr. President, in the absence of Senator Newell, Senator Vard Johnson has an amendment to the bill.

SENATOR CLARK: Senator Johnson.

SENATOR JOHNSON: Mr. President and members of the body, my amendment has absolutely no relationship to Senator Newell nor his amendment, and it just so happens that he is absent, but I have this amendment totally independent of anything Senator Newell might have on the desk. This is a very simple amendment, incidentally, which was triggered by two things that have been occurring. One is our discussion of LB 192 which is the attorney's fee bill that requires the State of Nebraska to pay an attorney's fee to anybody involved in the administrative process, or anybody who might be sued by the state, or anybody who challenges the state statute. And the second thing that has triggered my amendment is that the first of this month the Nebraska Supreme Court, in a case called School District #20 versus Commissioner of Labor, had to deal with the attorney fee question in the unemployment compensation area, and in a concurring and descending opinion Senator...or Judge Robert McGowan pointed out that there is a real injustice in the