

May 20, 1981

LB 548

Senators Vickers, Maresh and Kahle.

SPEAKER MARVEL: Senator Vickers, I have a note here that says you are to close. Is that right? Okay. The Chair recognizes you. I'm sorry, Senator Koch. Pass. Senator Vickers.

SENATOR VICKERS: Mr. President and members, this was debated to quite some length before we recessed for lunch. I don't think very much more needs to be said. I think everybody understands the issue. The issue very simply is, shall we or shall we not pay the Joe Soukup claim? Is the state at fault? Senator DeCamp made an eloquent plea in behalf of not paying it, I thought, when he described the many benefits that have derived since the Joe Soukup situation was brought to the attention of the Legislature and the State of Nebraska, some of the changes that have been made in the system. I suggest to you that that is the way that it should work. When the state does wrong, we should change it...change the system so that we do not do wrong again. But I am not so confident that paying a sum of money, whatever the amount, is going to satisfy our conscience, or satisfy the conditions that brought about the alleged wrong. Now as a member of the committee that heard this testimony, as I indicated earlier this morning, I don't know whether the state was right or wrong. I didn't get a chance to cross-examine anybody else. We heard one side of the issue. It has been pointed out by some of the members that this might be a precedent. Some other members have pointed out that we set precedents in here all the time, and that is true. But I do think we need to be aware of the fact that there are probably many hundreds of other people out there that have been mistreated or could have alleged that they have been mistreated in certain institutions of the state, and I would simply remind this body of one thing. Those of you that have children if you correct a child and then find out afterwards that what you corrected the child for that you were wrong in that, and that the child was right, buying them a bag of jelly beans does not make it better. You attempt to keep from doing that, making that same mistake the next time. That is what makes it better. If you simply buy them the bag of jelly beans, and then continue to correct them when they are not wrong, that doesn't satisfy anything. So it seems to me that this is not a good public policy for the State of Nebraska, and I would urge the body's adoption of this amendment to remove that section from LB 548. Thank you, Mr. President.

SPEAKER MARVEL: Senator Kahle, do you wish to speak before we go to another matter?

SENATOR KAHLE: I call the question.