

April 13, 1982

LR 381  
LB 816

SENATOR CLARK PRESIDING

SENATOR CLARK: Please check in. The Clerk will record the attendance.

CLERK: Quorum present Mr. President.

SENATOR CLARK: Do you have something to read it? Go ahead.

CLERK: Mr. President, very quickly, a new resolution offered by Senators, Labedz, Goll, Wiitala, Barrett, Apking, Vickers, Peterson. Read LR 381. That will be laid over, Mr. President.

SENATOR CLARK: Senator Vickers, I think we were on your amendment. I think we were on your amendment.

SENATOR VICKERS: Mr. President, in the interest of time and getting some things done, since there are some other bills on the agenda that I would just as soon get too, I would ask unanimous consent to withdraw that amendment.

SENATOR CLARK: It is withdrawn. Thank you.

CLERK: Mr. President, the next amendment I have is by Senator Haberman.

SENATOR CLARK: Where is Senator Haberman? Senator Haberman, within hearing distance? Senator Haberman, we are ready for your amendment.

SENATOR HABERMAN: Mr. President, members of the Legislature, my amendment, is a hold harmless clause on LB 816. Hold harmless clause means that no one shall receive less than they are receiving now. Those that gain shall receive what they gain. So following along with Senator Newell's argument what is fair is fair. It is fair that we be able to keep what we have been receiving and it is fair then that they should receive and reap the benefits of LB 816. Now the argument that this is unconstitutional or will not be constitutional is not a valid argument. Because, Section 39-2402 already has a hold harmless clause in the highway allocation fund distribution. So, it is a real simple little amendment. It just says that everybody will receive the amount they are receiving now. Those who receive the gains will receive the gains. And, the fight is over. So