

or vexatious and such. But I think you are right, that the employer...or the employer should not have to prove their case, or the employee. I'm a little confused on that right now.

SPEAKER NICHOL: One minute.

SENATOR HIGGINS: But I would support your amendment.

SPEAKER NICHOL: Senator Wesely, please.

SENATOR WESELY: (Response inaudible.)

SPEAKER NICHOL: Thank you. You were the last one, I believe. Senator Higgins, you didn't wish to speak again, did you? Okay. Just being careful, Marge. Did you wish to close, Senator Beutler, on your motion?

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, once again I want to say that I think this is a good bill. I'm not out to kill this bill. I just want to put into it what I hope is a little more balance. The bill gives a lot of additional rights to employees, and well it should. But I think it goes a little too far in one respect and that is where I'm trying to draw the bill back a little bit. Now if you are firing a public employee, you have the burden of proving just cause, in other words the little events that Senator Landis was describing to you, being late for work one day, being late coming back coming back from the coffee break, I doubt if those would be found to be just cause for firing if you are talking about one or two little incidents. If you are talking about a pattern of behavior that involves that over time, then I'm sure that it would and should constitute means for firing. So the state has to prove just cause, but I don't think the state should have to prove, I don't think it should be presumed that any time somebody has filed an allegation of wrongdoing with the public counsel and subsequently gets fired, I don't think it should be presumed that he was fired because he filed the allegation. That is what this bill says. That is what this bill says. It does more than make a level playing field, I think. I don't really consider this a David and Goliath situation. The main interest in the bill is from NAPE. NAPE has plenty of resources, they are doing all right. The bill provides for the collection of attorneys fees. There is an evening up there in terms of the individuals that are involved. The