

together on the basic issue of allowing arbitration to decide their contract dispute. But it was an interesting hearing. I felt that it was not needed at this time. With the remaining time I would like to focus in on the legal arguments dealing with binding arbitration. Now it has been...as it has been touched on earlier, it hasn't been allowed in the state. The Supreme Court has consistently held against binding arbitration to be allowed in the state. Now, it has allowed arbitration between two parties. Let's say Senator Lamb has a dispute with Senator Hefner. Now, those two can have a nice discussion about it and if they come to an agreement, then this type of arbitration is allowed. But where they both agree to end this dispute, they will have Senator Lamb, and Senator Hefner and then Senator Lundy will be making a decision and his decision will be final. This is binding arbitration and this isn't allowed in the state. Whereas, if the two get together and Senator Lundy makes a decision for the arbitration between the two and neither party agrees to it or one party doesn't agree to it, then they don't have to follow it. Now, in keeping that in mind, I would like to focus in on what the Supreme Court has said. They recently did look at the issue of binding arbitration in a 1983 case in Lincoln v. Soukup. In that case, I am just going to read here the introduction of the case itself. If I may quote, it says: "City and several of its officers, employees, appeal from an order of the District Court, Lancaster County. Samuel Van Pelt. Dismissing their appeal from the decision of the City Personnel Board upholding police lieutenant's grievance. The Supreme Court held that a binding arbitration agreement between city and a police official's union would oust the court's jurisdiction to settle future disputes and was, therefore, against public policy and was void." So they did decide on the actual issue itself. They go on...in the decision itself, they go on on the last page. In looking at it, they stated...they cite a case and they say, "...in which we reiterated the long standing rule in Nebraska that a contract to compel parties to arbitrate future disputes and thus to oust the courts of jurisdiction to settle such disputes is against public policy and is void." So the Supreme Court, in a relatively recent decision a couple years ago, decided that arbitration wasn't allowed in this state. Now, we have a decision here to make and we are going to be carrying on, I think, a good discussion about whether arbitration should be allowed. But you should understand that this is a major change in the laws of the