

April 21, 1993      LB 124, 375, 377A

CLERK: Senator, I have nothing pending on 377A.

SENATOR HOHENSTEIN: I'd move the advancement of LB 377A to E & R for engrossing.

PRESIDENT MOUL: You've all heard the motion to advance LB 377A. All those in favor please say aye. Opposed nay. LB 377A is advanced. LB 375.

CLERK: Senator, I have nothing pending on 375.

SENATOR HOHENSTEIN: I move the advancement of LB 375 to E & R for engrossing.

PRESIDENT MOUL: You've all heard the motion to advance LB 375. All those in favor please say aye. Opposed nay. LB 375 is advanced. LB 124.

CLERK: Senator, LB 124, the Enrollment and Review amendments have been adopted. I do have an amendment to the bill by yourself on page 1648 of the Journal. (See AM1583.)

PRESIDENT MOUL: Senator Hohenstein.

SENATOR HOHENSTEIN: Madam President, members of the body, if you will recall, and, Senator Landis, you may want to help me out on this, and, Senator Abboud, at the first stage of debate on this bill, which is the sexual harassment bill, basically relating the information to the Nebraska, the NEOC, there was a question raised as to whether parts of the bill were constitutional, the parts of the bill which allowed the NEOC to grant injunctive relief, award damages, attorney's fees, and costs. We had discussions, that was agreed that we would move the bill ahead and then have discussions on that particular provision in the bill, and I think it is clear, in fact, that we do not have authority, NEOC does not have authority to grant special and general damages, does not have authority to grant injunctive relief. So the proposal, which is the amendment to LB 124, was to do a number of different things. Primarily, and the meats of the proposal were drafted in conjunction with Senator Landis and Senator Abboud and staff which relates to specifically the right to bring a civil action against any respondent who violates the provisions of the act. But more importantly, I think, and this is a pretty substantial change, so if you want to make this change, you probably ought to