

April 15, 1994 LB 779

last couple of rounds of debate there. It depends on how it is administered. There are some that say it's 600,000, some say as low as 200,000.

SENATOR MOORE: Well I think passage of this bill would create, potentially would create some problems for the State of Nebraska in my opinion. If you for some reason want to pass the bill, I would argue that you'd have to go back and reconsider the motion on the override. And maybe that's what the train of events is going to be here, but I don't think you could pass the bill and not put the money in because what you're going to do then is force the state and the court to probably be taken to court, I don't know if you take the court to court, that may be a little bit unusual, but they probably have the ability to do that. As Senator Lindsay correctly stated, it only takes 25 votes to pass the bill. You would then inadvertently wouldn't be a proper word, maybe subvertly would be a proper word, achieve the goal of paying these people more which is a laudable goal, but if you do not have the money to place in the budget, you shouldn't be passing the bill. And so with that I would withdraw my motion but certainly encourage the body to, if you do not vote to override the veto, sustain...be consistent and vote no on passing 779 on Final Reading because if you pass the bill I think you create some problems for the state and the court since you didn't put the money in to fund it.

SPEAKER WITHEM: Motion is withdrawn. Anything else?

CLERK: Mr. President, Senator Warner would move to return the bill.

SPEAKER WITHEM: Senator Warner.

SENATOR WARNER: Mr. President, members of the Legislature, I filed a motion to strike the enacting clause long before the vote was taken, had absolutely nothing to do with the outcome because I would have made the motion whether you would have overridden or not. The first problem I have is that when you read the bill itself, it does not say by whom it is to be determined. Had I been here when the bill was being considered, I would have at least put in some language that would have referenced to State Personnel System. I don't know what process is used now, but the process we used to have, including for constitutional officers, because the State Personnel System constitutionally does not supervise those positions. But as a