

March 29, 1973

CLERK: Mr. President, Senator Carpenter now requests to withdraw the motion but insert it in the Journal.

PRESIDENT: All right. Are there any objections to withdrawing the motion?

SENATOR CARPENTER: Now the reason is the same except this bill can be put in final form on Final Reading and then if you don't desire to consider my motion if I make it, why then you can go on to pass it or not pass it on Final Reading. I have no desire to delay it.

PRESIDENT: Any objections to his withdrawing the motion? So ordered, it will be printed in the Journal. Motion is withdrawn. Do we have any other motions on the desk?

CLERK: None, Mr. President.

PRESIDENT: Ready for the consideration of bills on General File. First one this morning would be Senator Carpenter's 164.

SENATOR CARPENTER: May I ask how many Senators here?

CLERK: 43.

PRESIDENT: 43.

SENATOR CARPENTER: 43. OK.

PRESIDENT: LB 164. The clerk will read the title.

CLERK: Read title. LB 164. Mr. President, the bill was first considered on March 23rd. The title was read then. The bill was laid over. The Committee amendments have been adopted. The bill was to E & R Initial, and the E & R amendments were then adopted. Then, on March 28th, Senator Luedtke moved to return the bill to General File and there are now pending amendments offered by Senator Carpenter, Senator Luedtke, and Senator Fred Carstens. Senator Carpenter's amendment is the first one.

PRESIDENT: Stand by.

CLERK: Mr. President, Senator Carpenter asked unanimous consent to take up the other amendments. Senator Fred Carstens has an amendment---read. No, it's Senator Carstens amendment to the Standing Committee amendment.

PRESIDENT: Thank you. The chair recognizes Senator Fred Carstens for his amendment, then, to the Standing Committee amendments.

SENATOR FRED CARSTENS: Mr. President, members of the Legislature, I had it printed in the Journal about a week ago. The Attorney General's opinion in regard to the language contained in the bill that I am...have to have stricken that has to do with the authority granted in 164 for banks to deposit money, to deposit funds in savings and loan associations, and matters related to that. According to the Attorney General's opinion, this would very likely be an unconstitutional delegation of power and I have talked to Senator Carpenter about this and I have asked to have this amendment to strike from the bill that particular language in that particular section, so that the power to... authority to deposit funds in a savings and loan association on the part of banks is eliminated from the bill. I move the adoption of the amendment.

PRESIDENT: Any further discussion of the Carsten's amendment? Senator Luedtke, are you looking at 164? Stand by.

(End of Belt #5)