

SPEAKER: The bill is returned to Select File. Senator Schmit.

SENATOR SCHMIT: Mr. President, I move the adoption of this amendment.

SPEAKER: Anybody want the amendment read. OK. Those in favor of the amendment vote aye. Those opposed vote no. Senator Whitney voting aye.

CLERK: Senator Whitney voting aye.

SPEAKER: Have you all voted? The clerk will record.

CLERK: 26 ayes, 0 nays, 23 not voting.

SPEAKER: The amendment is adopted to LB 378. What will we do with the bill, Senator Schmit.

SENATOR SCHMIT: I move the bill be returned to E & R Fina.

SPEAKER: Motion is to advance the bill. All those in favor say aye. Those opposed no. The bill is advanced.

CLERK: Mr. President, I move to return LB 587 to Select File for a specific amendment. Signed, Senator Carpenter.

SPEAKER: Senator Carpenter.

SENATOR CARPENTER: Mr. President, I put on each member's desk a copy of this amendment. The first bill in the mind's of our legal advisors would not meet the requirement of the Constitution. We, then, brought about a correlation of the opinion of a number of people and I don't mean to say that they are all in agreement because some of them are not and I presume that you will hear from them, if you adopt this amendment. Now this amendment becomes the bill. It is the best amendment anybody can work out within the element of time that probably would meet the requirements of the Court. Now, you can't accept that with absolute assurance. We have attempted to correct most of the defects in the first bill. We set forth, for example, in the bill the purpose and we limit the time to a year. In other words, we create the emergency for a limited period of time. We are hopeful that the Court of the Nebraska, the Supreme Court, will realize in cases of this with the limited amount of time in an extreme emergency, if that's what it is, they will probably act..uphold the validity of the act and apply the act as the intent and I would hope that you will take the amendment on that basis. It is all you are going to get, in any case, and when it gets on Final Reading you can

(End of Belt #25)

(Start of Belt #26)

then make a determination as to whether or not you want to vote for it, but it is the last thing that anyone can think of that I know, in the element of time that might bring a bill and put it within the acceptability of the Supreme Court of the state of Nebraska. I move for its adoption. I move first to return the bill to Select File, for this specific amendment.

SPEAKER: The motion is to return LB 587 from Final Reading to Select File. The chair recognizes Senator Kremer.

SENATOR KREMER: Mr. Chairman, Maybe we should vote on the returning first. I have a question of Senator Carpenter or rather a comment.