

February 28, 1974

license law and so this strikes out that section which pertains to the bottle clubs and it's in line with what the committee intended to do but I made in the committee report.

PRESIDENT: Do you want to debate the amendment? Question is then, shall the amendment be adopted? All those in favor of adopting the Waldron amendment will vote aye. All those opposed will vote no. Voting on the Waldron amendment on LB616 on Select File. Voting on the Waldron amendment on LB616 on Select File. His motion still requires 25 votes. Thank you, the Clerk will record. Motion to adopt.

(Machine malfunction)

CLERK: Found on page 851 of the Legislative Journal.

PRESIDENT: The Chair recognizes Senator Carpenter.

SENATOR CARPENTER: What this amendment does, it defines what the delivery charge is which includes the freight and what it means is, the dealer can include the freight in the cost of his beverages and add the percentage to that. It only spells out definitely he can add the delivery cost on his invoice which is put on there by the wholesaler to his cost and add his profit on to that.

PRESIDENT: Do you want to.....

CLERK: The severability clause.

SENATOR CARPENTER: Yes, this means that sometimes it's effective and sometimes it's not. And I would call to the attention of the membership that sometimes where there might be some question about the constitutionality of a bill which has a number of provisions and subjects, sometimes the court will give some credence to the severability clause which means that is they find one part of the bill or law unconstitutional it doesn't necessary follow. They declare the whole law invalid.

PRESIDENT: Senator Keyes. We're debating the Carpenter amendment to LB616 on Select File.

SENATOR KEYES: Just as soon as we finish with this amendment, I want to ask Senator Carpenter some questions.

PRESIDENT: All right. Is there any further discussion of Senator Carpenter's amendment to LB616? All those in favor of the amendment vote aye. All those opposed will vote no. You are now voting on Senator Carpenter's amendment to LB616, on Select File. Once again the Chair would inquire, have you all voted? Voting on Senator Carpenter's amendment to LB616. Thank you. Clerk will record.

CLERK: 25 ayes, 1 nay and 23 not voting.

PRESIDENT: The amendment is adopted.

CLERK: Now, Mr. President, there is a request to hold LB616 until all the amendments can be coordinated into a draft of the bill and distributed to the members. Signed, Senator Goodrich.

PRESIDENT: All right, Senator Goodrich.