

March 15, 1977

LB 218, 389, 389A, 304

on LB 218 on Final Reading. When the bill was heard back in January it had an Attorney General's opinion requested on the bill by the Chairman of the Banking Committee. It was discussed again on General File and had some airing, I believe, on Select File so I would ask you to think about that in itself.

PRESIDENT: The question is shall this bill be bracketed for one day on Final Reading. Record your vote. Have you voted? Record.

ASSISTANT CLERK: 20 ayes, 21 nays Mr. President, on the bracketing motion.

PRESIDENT: Proceed with the reading where you left off Mr. Clerk. Motion fails. Clear the board.

ASSISTANT CLERK: Read LB 218, 389, and 389A.

(Machine turned off while bills were read).

PRESIDENT: Senator Ralph Kelly.

SENATOR KELLY: Mr. President, members of the Legislature. We just acted on LB 304 on Final Reading. I move that we reconsider our action for the purpose of entering a motion to return to Select File for a specific amendment. The specific amendment would be on page 3 to strike the word "sixty" and include "forty" which would then make the law consistent. We passed LB 122 earlier this session, that lowered the figure of those counties that can have merit systems for the county sheriff's office to 40,000. The law that we just passed does not include that and it leaves a complete void in the law and that those counties over 300,000 are taken care of. Those counties from 60,000 up are taken care of, but there's nothing for the counties from 40,000 to 60,000. This amendment will correct that technical error. I move the reconsideration.

PRESIDENT: Read the motion, Mr. Clerk.

CLERK: Mr. President, the motion is to reconsider our action on LB 304. Senator Kelly did vote on the prevailing side.

PRESIDENT: Senator Keyes.

SENATOR KEYES: Mr. Speaker, I certainly will not oppose what Senator Kelly is trying to do. I thought he wanted a six-man commission, but he wants a five-man commission. I would ask this, if anybody else in this Legislature wants to get their county into this, all we do is drop that 40,000 right on down. Now if any of you Senators go back and call your people between now and the time we're going to be discussing this tomorrow or today whenever we do it, let's draw that figure down to wherever we want you in. Last year...

PRESIDENT: The question is shall we reconsider our action on LB 304. Record your vote. Record.

CLERK: 36 ayes, 0 nays.

PRESIDENT: The motion carries.

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