

to say it one more time, tonight at 5 o'clock in 1101 we are going to meet and we are probably going to chip in \$2.00 for some pizza or something and work probably until 8 or 9 o'clock and we will even get the kind of pizza you want, Senator Venditte. We would like to have you there. So I support this amendment very strongly and let's get through section 9 and get on with this very important piece of legislation.

SPEAKER LUEDTKE: The Chair would like to introduce in the South balcony 18 seniors, 1 teacher and 1 sponsor from Nehawka High School in Senator Warner's District. If they would stand and be recognized, please, if they are still there. There they are. Right up there. Welcome. The Chair recognizes Senator Fowler.

SENATOR FOWLER: With regards to the amendment, the language that we are striking has not been in the criminal code before. This was an addition. I think it was the feeling of the people that looked at this that we have lived without this before, that really the question of what is the proper defense for a crime in this case would best rest with the judge and not written into a hard and fast rule. So that what we are striking is not something that is in the code now but was an addition that we feel is unnecessary. I would also like to correct something Senator Dworak said. I think it is going to be chicken tonight and not pizza. So I wanted to clarify that point.

SPEAKER LUEDTKE: Senator Barnett, you may close on the motion to adopt the amendment.

SENATOR BARNETT: I don't believe I have any closing. I don't believe anybody misunderstood it and I think they would move for the acceptance of this amendment.

SPEAKER LUEDTKE: Motion is the adoption of the Barnett amendment to LB 38. All those in favor vote aye, opposed nay.

SENATOR BARNETT: How many are here?

SPEAKER LUEDTKE: There are very few excused. Four are excused. All the rest should be here someplace. They are just running around. They will be here. We will give them some time. They are coming in. Voting on the Barnett amendment to LB 38. Have you all voted? Those who are here please come and vote so we do not have to have constant Calls of the House. Senator Savage, Senator Kelly, do you wish to vote on this matter. Do you wish to vote on this amendment. Senator Warner. Senator Cope. We would like to save Calls of the House if we could. Record the vote.

CLERK: 28 ayes, 1 nay.

SPEAKER LUEDTKE: The Barnett amendment is adopted. Senator Barnett.

SENATOR BARNETT: Okay, we will start through the bill, through the code, section 191 is the start. Now do you have that long blue sheet with you? That is the one we want you to follow on here because it tells what each