

CLERK: 20 ayes, 21 nays.

SPEAKER LUEDTKE: Motion fails. Senator Cullan, do you want to make a motion on 531.

SENATOR CULLAN: Mr. President, members of the Legislature. I move that LB 531, as amended, be advanced to E & R for engrossment.

SPEAKER LUEDTKE: Motion to readvance LB 531 to E & R for engrossment. All in favor say aye. Opposed nay. LB 531 is advanced to E & R for engrossment.

CLERK: (Read Bereuter motion regarding LB 537 found on page 2098 and 2099 of the Journal).

SPEAKER LUEDTKE: Chair recognizes Senator Bereuter.

SENATOR BEREUTER: Mr. President, members of the Legislature. The purpose of the specific amendment, for which I ask you to return the bill, relates to the Attorney General's opinion and veto message on LB 536. This would add intent language to ensure that the Board of Parole would be required to submit its administrative rules and regulations, but would not touch the Board of Pardons, since that is a constitutional office. The inclusion of the Board of Pardons in LB 536 was the reason for the Attorney General's opinion of questionable constitutionality and the Governor's veto. But there is no question about the Board of Parole. This would add intent language to ensure that they do come in with their administrative rules and regulations and file them with the Administrative Rules Committee of the Legislature. Therefore, I ask for you to return LB 537 for this specific amendment.

SPEAKER LUEDTKE: Senator Bereuter, are you still.... Alright. Senator Keyes. Chair recognizes Senator Keyes. Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature. If all Senator Bereuter is trying to accomplish is a submission of rules and regulations, we received a letter stating that the Board of Parole was going to do this. So I'm going to oppose his motion. In that same letter they had indicated that they had legal opinions to the effect that the operation of this law, that Senator Bereuter wants to bring the Parole under, would make all of their decisions subject to a review if challenged by anybody who is opposed to any decision that they would make. But without going into all of that, if all they want are rules and regulations from the Board of Parole and the Board has said that these rules and regulations will be forthcoming, that is adequate assurance for me. I'll see, this session, what they bring in by next year. If it is found to be unsatisfactory then a bill, appropriately drafted and geared to the situation, I think can be enacted. But until I am convinced that they are not going to provide rules and regulations I cannot support Senator Bereuter's motion.

SPEAKER LUEDTKE: Chair recognizes Senator Fowler.

SENATOR FOWLER: In response to Senator Chambers, the assurances that there be rules and regulations I think have come about on a large part because of the efforts of Catherine Dahlquist, who is serving on the Board of Parole. My understanding is that she's being recommended now for another post, I think the Liquor Commission, as I understand it, and that it