

may come back later.

SENATOR LANDIS: Since he's not present we will pass over that amendment. Are there other amendments, Mr. Clerk?

CLERK: Mr. President, Senator Schmit would move to amend. Senator Schmit's amendment is on page 1558 of the Journal.

SENATOR LANDIS: Senator Schmit, on your amendment. 1558 in the Journal, Senator Schmit.

SENATOR SCHMIT: Mr. President and members, the amendment that I have here strikes the committee amendment and instead adds other language that refers to the time at which the election must be held. I want to just say at this time that LB 949 is a rather complex bill. It was worked out between the rural public power districts, NPPD and OPPD and they have some agreements they have reached relative to territorial districts that pertain to the election of their boards of directors and after the...the reason that we strike the committee amendment is that the committee amendment referred to electors rather than to residents of the district and was determined to be unconstitutional in fact. So I'd like to adopt this amendment and then I have some material I have been asked to read into the record for legislative review in the event that it ever comes to another court test.

SENATOR LANDIS: Thank you, Senator Schmit. There are no lights on and you'll waive closing on that amendment, I assume. We'll go directly to a vote on the Schmit amendment. All those in favor vote aye, those opposed vote no. Following this amendment we'll go back to Senator Schmit for his statements on the bill. Actually we have another amendment by Senator Smith following the Schmit amendment and try saying that after all this time. The Clerk will record.

CLERK: 25 ayes, 0 nays on adoption of Senator Schmit's amendment, Mr. President.

SENATOR LANDIS: The Schmit amendment is adopted. Senator Smith, on your amendment and then we'll proceed back to you, Senator Schmit, for your statements on the bill. Senator Smith.

SENATOR SMITH: Thank you, Mr. Chairman. This amendment contains language relating to the eligibility of serving on public power district boards. Currently there could be individuals serving as directors on rural public power boards