

January 18, 1979

LB 70

General File. Senator Warner, do you want to take up LB 70 today? Okay. LB 70 on General File. Clerk will read the title.

CLERK: Mr. President, LB 70 was introduced by Senator Jerome Warner of the 25th. (Read title of LB 70.) The bill was first read on January 5 of this year. It was referred directly to General File, Mr. President.

SPEAKER MARVEL: Excuse me. Could we have a little order on the floor: The Chair recognizes Senator Warner. Do you move that the bill be advanced?

SENATOR WARNER: Mr. President, I move that LB 70 be advanced to E & R Initial.

SPEAKER MARVEL: The Chair recognizes Senator Warner.

SENATOR WARNER: Mr. President and members of the Legislature, LB 70 is introduced to address three problems that come up from time to time with the passage of Legislation. The first two sections clarify for the Revisor of Statutes the procedure that should be followed when two different bills have been passed at different times during the session, but both bills deal with the same section of law. Historically, what has occurred is that if the bills were not reconciled by E & R, and they were passed at some considerably different period of time where more frequent occurrence would be toward the end of the session when bills are amended and there is not time to go back and forth between E & R for the bills to be reconciled. What has historically been done is the bill passed last in time is the one that is presumed to be valid and there have been court cases to that effect from time to time. Rulings usually go that way also in the Attorney General's office. What the bill does, Section 1 makes it clear that if two different bills dealing with the same subject are passed, and they have not previously been reconciled, and they are not in conflict, that then the Revisor of the Statutes would have the authority to place both into the statutes as if they were properly enacted. An example that's going across the board right now is LB 6 over on E & R Engrossment and LB 76 on E & R Initial deal with amending..dealing with the Homestead Exemption. If you look at those bills 77-202.16 is the section involved, and with the passage of this bill with the first section they both...they're not in conflict but they deal with the same section of law, and it would not be required then that the two are reconciled but that the Revisor, when the session laws are written, could get them in. Normally they would try to do that, but sometimes because of

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