

February 9, 1979

LB 131

SENATOR KOCH: The problem the Department of Education has had, and this really comes from that division of the Department of Education that has to do with transportation, the problem they have had is people are buying these buses more often. They are taking them, renovating them and using them as recreational vehicles. Occasionally you may run into a situation where the operator may be using someone else's vehicle but I submit to you in order to enforce the law you have got to issue the citation to the person who is actually operating the vehicle at the time in violation of the law, and if you are going to put it into effect, then you have got to give it to the operator. If the owner is going to...he, indirectly, the owner is going to get involved, too, because that operator is going to take it back to that owner and he is going to become a part of the party to the violation of the law. So if we do not put the bill as we have it now without the amendment, then you have got the same problems we have had before. It is a problem of enforcing it and I submit to you the bill is correct the way it has been sent to the committee and that is the way it should go across to Final Reading. Thank you.

PRESIDENT: Any further discussion on LB 131? Senator Koch, I presume that is your close then if there is no further discussion. The motion is the advance of LB 131 on to E & R Initial. All those in favor vote...oh, Senator Chambers, a motion on the desk. Excuse me. Motion on the desk. Read the motion.

CLERK: Mr. President, Senator Chambers moves to amend: Read Chambers amendment found on page 473, Legislative Journal.

PRESIDENT: The Chair recognizes Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, when bad law comes to our attention, we have an obligation to do something about it and this is bad law. Senator Koch, I am surprised that the Department of Education did not do a bit of cleaning up of this particular section if they wanted it but I am not going to try to do all the work necessary to clean it up and I will show you some of the difficulties and a bit of this was discussed during the committee hearing. I will take the simplest one first, starting in line 8. "Such vehicles shall be painted a distinct color other than that prescribed by the State Board of Education." The first part that poses a problem is the word "painted". Does that mean to cover the entire bus, the top portion, a certain percentage of it, before it is considered painted? There is a vagueness and I am not asking you the questions right now for you to