

year approving all those, why we can always disapprove it. Now secondly, Senator Johnson is essentially correct when he says it is our traditions that our attorney fees are not awarded, but there are exceptions to that that run all the way through federal and state law. They exist in suits against the federal government. They exist in suits against state governments where there is good reason for doing it. Indeed, we just advanced a bill not twenty minutes ago, LB 192, that allows that. Senator Burrows sponsored a bill we passed last year, mandamus actions, which allows that. There are many other exceptions in existing laws in the State of Nebraska, the Nebraska Deceptive Trade Practices Act and other provisions where attorney fees under special circumstances are allowed. And I think that I have made a case here to show why in this situation in this area the court ought to have the discretion to award attorney fees if in the exercise of that discretion thinks it is proper. So I would again ask that the body advance this bill. Thank you, Mr. Speaker.

SPEAKER MARVEL: The motion is the advancement of the bill as explained by Senator Hoagland, 341. All those in favor vote aye, opposed vote no. Have you all voted? Senator Hoagland.

SENATOR HOAGLAND: I have some more votes on this one than the previous one, Mr. Speaker, so let's have a Call of the House and I will accept call in votes if anybody is interested.

SPEAKER MARVEL: Shall the House go under Call is the issue. All those in favor of placing the House under Call vote aye, opposed vote no.

CLERK: 19 ayes, 2 nays, to go under Call, Mr. President.

SPEAKER MARVEL: The House is under Call. All legislators please return to your seats, record your presence. Unauthorized personnel please leave the floor and please record your presence. Okay, Senator Wiitala, will you please record your presence. Is Senator Newell here? Senator Schmit. Senator Landis. Okay, everyone is here except Senator Newell and Senator Chambers. Excuse me?

SENATOR HOAGLAND: Could we take call in votes first?

SPEAKER MARVEL: Yes. Senator Vickers, for what purpose do you arise....does your thumb arise?

SENATOR VICKERS: Are you accepting call in votes?

SPEAKER MARVEL: Yes.