

SENATOR HABERMAN: Let's have a call of the house then, please.

SENATOR L. JOHNSON: Call of the house has been requested. All those in favor vote aye, opposed no. Record, Mr. Clerk.

CLERK: 17 ayes, 1 nay to go under call, Mr. President.

SENATOR L. JOHNSON: The house is under call. Members should return to their seat. All unauthorized personnel will please leave the floor. Please indicate your presence. Senator Abboud, Senator Barrett, Senator Bernard-Stevens Senator Beyer, Senator Chambers, Senator Goodrich, please return to the Chamber and indicate your presence. Senator Pirsch, Senator Robak, Senator Wesely. Will Senator Wesely, Senator Bernard-Stevens, and Senator Chambers, please return to the Chamber. There are three....Senator Wesely. Senator Bernard-Stevens and Senator Chambers are on the way. Senator Haberman, may we proceed with the roll call at this point? Thank you. Mr. Clerk, call the roll and a record vote has been requested.

CLERK: (Roll call vote taken. See pages 454-55 of the Legislative Journal.) 25 ayes, 15 nays, Mr. President, on adoption of Senator Haberman's amendment.

SENATOR L. JOHNSON: The amendment is adopted. Back to the discussion of the bill, LB 298. Another amendment, Mr. Clerk.

CLERK: Mr. President, Senator Landis would move to amend. (Read Landis amendment as found on page 455 of the Journal.)

SENATOR L. JOHNSON: The Chair recognizes Senator Landis.

SENATOR LANDIS: Thank you, Senator Johnson. Rather than wait for another day and remind ourselves of where we are in the issue, I just whipped up there and put the amendment in. My preference would be that this be a criminal activity that one would have to know one was committing, that you would have to know that you were charging more than the legal rate, otherwise a clerical error would trip this kind of liability. It's not difficult to establish this kind of information, you go in, you show them the rate and they say, well, I'm not going to charge you the rate. And you take that conversation into court and you can establish knowledge in that kind of a situation. So, I would add the word "knowingly" in the Haberman amendment. I believe Senator Haberman has agreed to that and I'd yield the