

SENATOR LAMB: Mr. President, I rise to support the amendment that Senator Abboud has offered. As he mentioned, it's merely technical that has to do with how the state agencies operate. And his bill is coming up soon, which I assume it will be passed.

SPEAKER BARRETT: Any other discussion? If not, the question is, shall the bill be returned to Select File? Those in favor vote aye, opposed nay. Please record.

CLERK: 32 ayes, 0 nays, Mr. President, on the motion to return the bill.

SPEAKER BARRETT: The bill is returned. Senator Abboud, on the amendment.

SENATOR ABOUD: I urge the adoption of the amendment. I'd be happy to answer any questions, if there are any.

SPEAKER BARRETT: Thank you. Questions? Senator Wesely.

SENATOR WESELY: Thank you, Mr. Speaker, members. Senator Abboud, I apologize, but I don't recall your LB 352 and the discussion on it. And, just briefly, why is it...is every department going to be under the Administrative Procedures Act now but the Department of Motor Vehicles?

SENATOR ABOUD: They already are. Last year, when we passed LB 352...currently, all state agencies have a certain appeals process. The bill last year, LB 352, unified all of the different systems. It had been worked on for about five or six years by the state agencies. We...when we passed the law we said, if there are any problems that you don't foresee, we'll move the enactment date until July 1 of 1989. We weren't expecting any major repercussions from it, and there weren't any. But the Department of Motor Vehicles, in an Attorney General's...request to the Attorney General and a letter back and forth from the Attorney General, which I have here on my desk, provided that for certain appeals processes...currently, the only appeals process that they handle is for when a person refuses to take a breathalyzer test. And in that particular instance, in the appeal where that person's license is pulled, they appeal directly to the Department of Motor Vehicles. What was not foreseen was that they would also have to deal with the