

SPEAKER BARRETT: Thank you. The Chair is pleased to note that Senators Ashford and Beck have 25 students in our south balcony from MidWest Baptist Academy in Omaha, with their teacher. Would you people please stand and be recognized. Thank you. Welcome to the Legislature. We're glad you're here. Mr. Clerk, moving to Select File, LB 923.

CLERK: Mr. President, 923 was discussed on March 5 by the Legislature. At that time, Senator Wesely...E & R amendments were adopted. Senator Wesely offered an amendment to the bill, Mr. President, that failed. I now have a priority motion from Senator Wesely to reconsider that vote on the amendment that he offered. The reconsideration is on page 1168.

SPEAKER BARRETT: The Chair recognizes Senator Wesely.

SENATOR WESELY: Thank you. Mr. Speaker and members, I passed out a copy of the amendment. I think it's also in the Journal. Is it not?

CLERK: I'm looking, Senator, I believe it's on 1158, Senator.

SENATOR WESELY: Right. Yes, okay. So just so you know, because the last time we had this come up it came up late in the afternoon and the amendment wasn't actually in the Journal and so there was some confusion. Let me again reiterate where we're at on the issue. This amendment dealt with a problem that we have with a loophole in the law in enforcing the standards that we have adopted under the Asbestos Control Act. We have penalties dealing with employees but there is a gap in the law dealing with employers. The original draft of the amendment called for penalties in the range of \$5,000 or more for violating this act. And I had substituted an amendment to make that only \$500 to...or 500 to \$5,000 for that first offense and then the second offense would be \$5,000 or more. And it was, I think, important to recognize that we ought not to allow individuals who do not carry out the intent of the law, do not train their employees, do not follow the standards, ought to have some penalty but that penalty ought not to be too severe, that it ought to be reasonable, although severe enough to, hopefully, not have the law violated. I don't know what all the confusion was other than people were simply...it was a bad time of the day. I really think it's a clear issue and I would hope very much that you would move to reconsider. I know that