

January 25, 1991 LB 62

CLERK: Madam President, LB 62 was a bill introduced by Senator Beyer. (Read title.) The bill was introduced on January 10, referred to Urban Affairs, advanced to General File. I have no amendments to the bill.

PRESIDENT MOUL: Thank you, Mr. Clerk. Senator Beyer.

SENATOR BEYER: Madam Chair and colleagues, this bill was introduced to allow for the appointment of an alternate to the planning commissions of first and second class cities and villages. There has been difficulty in getting a quorum of regular members to attend planning commission meetings in the summer months and the purpose of allowing for an alternate is it would make it easier for the planning commission to conduct business during the peak construction season. And with that simple explanation I would urge you to advance the bill.

PRESIDENT MOUL: Thank you, Senator Beyer. Seeing no one wishing to speak on this issue...sorry, Senator Beutler.

SENATOR BEUTLER: Senator Beyer, a couple of questions if I may. I don't know how unusual or usual the appointment of an alternative member to a commission is. Perhaps it is more usual than I suspect, but it strikes me that there are certain kinds of questions that might come up that would be of some interest and possibly the subject of some litigation. For example, as I understand the bill it is designed so that if somebody can't attend a meeting, then the substitute will attend the meeting. Is that correct?

SENATOR BEYER: The way it was explained to me, Senator Beutler, was the alternate would be there if they could and if there was not a quorum he or she would be allowed to vote.

SENATOR BEUTLER: He or she is allowed to do it only if there is not a quorum.

SENATOR BEYER: Correct.

SENATOR BEUTLER: If there is otherwise a quorum, then that member doesn't sit as part of the deliberations.

SENATOR BEYER: Correct.

SENATOR BEUTLER: Okay. That was one question. Another