

February 25, 1991 LB 313

and it's really left at the discretion upon the request of any veteran, organization, group or person that purchases the flag and they've been asked to fly the flag. If they make the determination to fly the flag, they may do so. That's all there is to the amendment and I'd ask for the support of the body.

PRESIDENT MOUL: Thank you, Senator Smith. Is there anyone who wishes to speak on the Smith amendment to the amendments? Senator Conway.

SENATOR CONWAY: Thank you, Madam Chairman. I rise in support of Senator Smith's amendment. Senator Smith and I have talked about it. I think that it is a proper compromise. My druthers would be to make this mandatory, to have mandatory in and that was a fact that if someone were to request to pay for, to maintain and service such a flag that some administrator would not be in a position to be able to deny it. I understand through some of the discussion that there are times when there may be some justifiable reason. I still would like to see language stronger than "may", but in order to proceed with what is becoming a little bit devisive with respect to what the concept is, I would rise to support of changing the "shall" to a "may", recognizing the fact that at least they have authorization when requested to do so and they're going to have to speak to that local group trying to describe why it is that through their own discretion they would like to deny such a request. So with that amendment I would recognize that as something that hopefully will move the bill along.

PRESIDENT MOUL: Thank you, Senator Conway. Is there anyone else who wishes to speak on the amendment to the amendment? Seeing none, do you have a closing, Senator Smith?

SENATOR SMITH: I would just like to remind the body that this does nothing to change the first intent of the first section of the bill which would retain that section and then what we do is in the second part where we talk about the POW/MIA flag, it just says that they may at the request of an organization, group or individual, if that flag is purchased by that organization, group or person, fly the flag. Thank you.

PRESIDENT MOUL: Thank you, Senator Smith. We'll now proceed to vote on the amendment to the amendment. All those in favor please vote aye, opposed nay. Please record, Mr. Clerk.