

March 12, 1991

LB 200, 334, 409, 778

PRESIDENT MOUL: LB 200 is advanced. LB 334.

CLERK: LB 334 introduced by the General Affairs Committee. (Read title.) Introduced on January 16, referred to General Affairs, advanced to General File. I have no amendments to the bill, Madam President.

PRESIDENT MOUL: Senator Smith.

SENATOR SMITH: Thank you, Madam President, members of the body, LB 334 is a bill that would strike the definition of Nebraska-bred horses with the Nebraska citizenship requirement that is contained in the statutes at this point in time for owners seeking to register horses of the Nebraska-bred thoroughbreds or quarter horses. In February of 1990, an order was issued by the Lancaster County District Court which held that the Nebraska citizenship requirement for owners seeking to register horses as Nebraska-bred thoroughbreds was unconstitutional as violative of equal protection. The state didn't appeal this decision and subsequently the Attorney General issued an opinion which was requested by the State Racing Commission that based on the district court's finding of unconstitutionality with regard to Section 2-1213, subparts 2(c), the Nebraska citizenship requirement for ownership of the dam in subsection 2(d) should also be deemed invalid. The bill simply strikes the invalid language in the definition of Nebraska-bred horses.

PRESIDENT MOUL: Thank you, Senator Smith. Is there anyone who wishes to speak on this bill? Seeing none, we'll proceed to vote on the advancement of LB 334. All those in favor please vote aye, opposed nay. Have you all voted? Please record, Mr. Clerk.

CLERK: 27 ayes, 0 nays, Madam President, on the advancement of 334.

PRESIDENT MOUL: LB 334 is advanced. Do you have items for the record, Mr. Clerk?

CLERK: I do, Madam President, confirmation reports of Transportation Committee signed by Senator Kristensen; Natural Resources reports LB 409 to General File with amendments; LB 778, indefinitely postponed. Those are signed by Senator Johnson. (See page 1009 of the Legislative Journal.)