

April 18, 1991 LB 827

CLERK: 17 ayes, 0 nays, Mr. President, on adoption of Senator Johnson's amendment to the committee amendments.

SPEAKER BAACK: The amendment to the committee amendments is adopted. Mr. Clerk, next item.

CLERK: Mr. President, Senator Morrissey would move to amend the committee amendments. Do you want me to read it, Senator, would that be helpful?

SENATOR MORRISSEY: If you would, please.

CLERK: (Read FA105 on page 1719 of the Legislative Journal.)

SPEAKER BAACK: Senator Morrissey.

SENATOR MORRISSEY: Thank you, Mr. Speaker and members. This doesn't do exactly what Senator Dierks wants but it does something that I was concerned with. Again, we reduce the review to a review of the record, not allowing any new evidence. I strongly disagree with this, and I would like to ask Senator Beutler a quick question. Senator Abboud, excuse me. Now I asked you, Senator, by trial de novo, that means that new records can be established, is that,...

SPEAKER BAACK: Senator Abboud

SENATOR ABOUD: Right.

SENATOR MORRISSEY: ...that is my understanding, okay, and that was my intent. We want to establish a new record. I think it is the proper thing to do. We could have all kinds of information come in after this licensing procedure. You don't know what could go on, and I think to redo something as important to this, or review something as important as this, to strictly a written record is the wrong way to go, and I think if we are going to jump right to the Supreme Court, we should allow new evidence that may or may not appeared to be considered, and I'd hope you would support this effort. Thank you.

SPEAKER BAACK: Thank you, Senator Morrissey. I have a list of speakers. Senator Abboud, do you wish to discuss the Morrissey amendment?

SENATOR ABOUD: Yes, Mr. President, colleagues, I am going to