

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
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FLOOR DEBATE

May 19, 2005

LB 117

recognized to close, if you care to. He waives closing. Question before the body is adoption of FA283 to LB 117. All in favor vote aye; those opposed, nay. Have you all voted who care to? Record please, Mr. Clerk.

CLERK: 29 ayes, 0 nays on the adoption of FA283.

SENATOR CUDABACK: FA283 has been adopted. Mr. Clerk.

CLERK: Mr. President, the next amendment to the bill, Senator Beutler, AM1316.

SENATOR CUDABACK: Senator Beutler, to open on AM1316.

SENATOR BEUTLER: Senator Cudaback, Mr. Clerk, I'd ask unanimous consent to substitute AM1655. (Legislative Journal page 1672.)

SENATOR CUDABACK: Any objection? If not, so ordered.

SENATOR BEUTLER: Senator Cudaback, members of the Legislature, we had a long and interesting and I think very fruitful debate on General File on the subject of whether a log and, if a log, what kind of a log would make sense in this particular...in this particular bill. Different senators had different opinions about the effectiveness of this bill in its present form. I happen to be one of those that has the opinion it's really not going to do very much in its present form. Senator Bourne disagrees. Senator Chambers is somewhere in that scale. But I do think that if you're going to do this, the current penalty of a \$50 fine on the side of someone who sells contrary to the bill, and an infraction on the side of...being the penalty on the side of somebody who buys contrary to the provisions of this bill, and then having no record whatsoever except trying to reconstruct on the basis of oral testimony some sort of violation of the act, I mean, bottom line is you're not going to prosecute anybody under this bill unless you develop a real log that can be used as evidence in an efficient sort of way. So then we talked about, you may recall, the handwritten log, the tediousness of that, the burden on the business, and my thoughts came to this. If you're going to have a log, we need to do what...what would really be efficient is an electronic log. At