

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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FLOOR DEBATE

February 6, 2006 LB 778

FA390 be adopted to LB 778? All in favor vote aye; opposed vote nay. We're voting on adoption of the Chambers amendment, FA390, which is an amendment to LB 778, offered by Senator Langemeier. Have you all voted on the question who care to? Record please, Mr. Clerk.

ASSISTANT CLERK: 26 ayes, 0 nays on the adoption of Senator Chambers' amendment, Mr. President.

SENATOR CUDABACK: FA390 has been adopted. Mr. Clerk, when you get time, next motion.

ASSISTANT CLERK: Mr. President, Senator Chambers would offer FA391. (Legislative Journal page 555.)

SENATOR CUDABACK: Senator Chambers, to open on FA391 to LB 778.

SENATOR CHAMBERS: Mr. President, members of the Legislature, anybody interested in the subject matter of this bill may want to pay attention to this one. It's found on page 69, and the current law has the word that I'm proposing to strike. I'm going to read subsection (6), in lines 3 through 6 on page 69, so the word will be in context. "Conviction, including a conviction based upon a plea of guilty or nolo contendere, of a crime which is substantially"...and I would strike "substantially"... "which is substantially related to the qualifications, functions, or duties of a real property appraiser." I don't see any function served by the word "substantially." If you dropped it, this is what you would have: "a crime which is related to the qualifications, functions," and so forth. When courts are applying language of a statute to particular office that a person may hold, the court doesn't modify what it's going to say with the term "substantially." It might say, the act must be related to the duties of the office. So I will ask Senator Langemeier a question or two, to get his thinking on this.

SENATOR CUDABACK: Senator Langemeier, would you yield to a question?

SENATOR LANGEMEIER: Yes.