

January 31, 1975

CLERK: 38 ayes, 0 nays, 11 not voting. LB 77. Introduced by Senator Goodrich of the 20th District. Read title. There are no committee amendments, Mr. President.

PRESIDENT: The chair recognizes Senator Goodrich.

CLERK: But there are amendments offered by Senator Goodrich whose bill it is.

SENATOR GOODRICH: I will explain the bill first and then ask for the amendment which is the adding of the emergency clause. Mr. President and members of the body, this bill is a corrective bill from--to correct some language in 8W815 which is the anti-pornography bill of last session. What we are doing is changing the wording in Section 1, subsection 9a, so it will conform to the same wording in Section 8, subsection 3 of 815 from last year. There is no change of legislative intent or anything like that. What this bill will do is make both sections say the same words in the same way. The other clause that's being stricken from the bill, from the statute rather, is so that the bill that we, the legislation that we have on our books will conform with the jury instructions and also conform with the U.S. Supreme Court opinion in Miller versus California which is one of the three famous pornography cases. With that I will first of all move that we adopt the pending motion which is an amendment to this bill and all it does is to adopt the emergency clause and moves the subsection letter (a) to the beginning of the sentence instead of where it was in the bill. That would have I think would have been taken care of by the E & R chairman anyhow but I just tossed it in. I move the adoption of that amendment.

PRESIDENT: Now the amendment is to add the emergency clause.

SENATOR GOODRICH: Yes.

PRESIDENT: The question is shall the amendment to LB 77 be adopted. Record your vote. Record, Mr. Clerk.

CLERK: 35 ayes, 0 nays, Mr. President.

PRESIDENT: The amendment is adopted.

SENATOR GOODRICH: Mr. President, I move we advance LB 77 to E & R Initial as amended.

PRESIDENT: Is there any discussion? The question is shall LB 77 as amended be advanced to E & R Initial. Record your vote. Record, Mr. Clerk.

CLERK: 32 ayes, 0 nays, 17 not voting. LB 121. Introduced by Herbert J. Duis, 39th District. Read title. There are no committee amendments, Mr. President. There is an amendment by Senator Luedtke to add the emergency clause.

PRESIDENT: The chair recognizes Senator Luedtke.

SENATOR LUEDTKE: I move the addition of the emergency clause. This was requested at the Committee Hearing and the Committee neglected to put it on so I hereby move to have the emergency clause put on so we can put it into effect as soon as possible.

PRESIDENT: The question before the house is the adoption of the amendment by inserting the emergency clause to LB 121. Record your vote. Record.

CLERK: 29 ayes, Mr. President.