

April 4, 1975

CLERK: A quorum is present, Mr. President.

PRESIDENT: We are on LB 517 on General File.

CLERK: LB 517 introduced by Senator Moylan of the 6th District. Bill read. There are amendments by Senator Kennedy's Public Health Committee.

PRESIDENT: Senator Kennedy.

SENATOR KENNEDY: Mr. President, fellow members, I move that we adopt the committee amendments. The committee amendments are on page 3, line 7, strike "conduct periodic inspections" and insert "investigate any complaints against." This is a simple amendment that would not force the inspection but if they have a complaint, that they might investigate it. And of course this would eliminate the large cost of inspections. I would move for the adoption of the committee amendment.

PRESIDENT: Senator Syas.

SENATOR SYAS: I wish to ask Senator Kennedy...in this amendment it sounds to me as if unless a purchaser complained an unsafe condition, nothing would happen. In other words, if a person sold a lot of unsafe material and just because noone knew it and they purchased it and didn't complain, it would be all right. Is that it?

SENATOR KENNEDY: Senator Syas, we do have federal inspections on most toys and under the circumstances, there might be a small toy operation in the state that might not be inspected but if anything would come up, that this would give them an opportunity to go and inspect and have the legal background to do so.

SENATOR SYAS: Then what would they do? Come in and inspect? And then what would happen?

SENATOR KENNEDY: They would close down whatever production that particular toy was.

SENATOR SYAS: Production. What if it's in the store?

SENATOR KENNEDY: They have to...if it was sold by the store, they would have to go back to where the production was.

SENATOR SYAS: It's be too late wouldn't it?

SENATOR KENNEDY: It'd be too late for that particular item but ...The federal has supposed to have passed...and it's my understanding, I don't think we've had enough complaints and that's why we've changed this wording to this amendment. That it would only be if some were found. I would move for the adoption of the committee amendment.

PRESIDENT: Any further discussion? The question is the adoption of the committee amendments. Record your vote. It's been suggested to me that I stop begging for votes. So would you please vote promptly so that we can move along. Record.