

April 16, 1975

PRESIDENT: Any further discussion? Senator Chambers.

SENATOR CHAMBERS: I move that 425 as amended be advanced to E & R Initial.

PRESIDENT: Further discussion. The question is, shall the bill be advanced? Record your vote. Record.

CLERK: 29 ayes, 1 nay, Mr. President.

PRESIDENT: The bill is advanced.

CLERK: LB 132 introduced by Senator Swigart. Read title. The bill was first considered on April 9th. The Committee amendments were adopted on April 9th. Senator Frank Lewis' amendment was adopted. At that time the bill failed to advance. Since that time, Senator Swigart has offered another amendment. Do you wish that I read your new amendment? Mr. President, the new Swigart amendment is as follows: Read. See Page 1311, Journal.

PRESIDENT: Senator Swigart.

SENATOR SWIGART: Mr. Chairman, I would like to respond to this amendment that I have proposed and the reason for the amendment, ladies and gentlemen, is that two or three of the legislators thought that the previous fly leaf on the front of the bill and the provisions of it were a little vague and not clear enough and so this amendment is simply to clarify the language so that it does say that any school bus in motion shall have the kids sitting down. This does not, incidentally, interfere in any way with the Lewis amendment of a few days ago that did pass. I wish it did. I wish it **threw** it out because that amendment that we passed a few days ago, those little eighteen words in his amendment, said that any school district that owns the buses and operates them, rather than a contractual arrangement, would be excluded and that just about takes out everybody in the whole state, all but, I think, several, one gentleman told me and so this takes the heart out of it and I guess the stomach and the backbone too so there is very little left and I am hopeful that others in the legislature more capable than I or more adept and effective than I here would possibly help on that issue because I think it ought to be thrown out. But I would like to read you a little something related to the Department of Education and Mr. Sondequist there. I think some of you know him and he made a report on January the 8th of 1975 and it kind of shows the need for safety along this line. He says, the following Nebraska statute #79-488.07 has been difficult for the Nebraska State Patrol to interpret and to enforce. The present statute wording is vague and non-descriptive to enforcement officers, to county judges and to school officials because it does not define or set forth the specific conditions of school bus overloading. And then in the last paragraph of his report, he says this about the United States government. The U. S. Department of Transportation, National Highway Safety...Traffic Safety Administration promulgated standard #17 which is pupil transportation safety on June 6th of 1972 which indicated that all states shall work towards the elimination