

April 3, 1984

LB 1060

PRESIDENT: Chair recognizes Senator Haberman.

SENATOR HABERMAN: This error was found by E & R and it inserts "such provisions as complied with". Under the current law only a permit is required. Under LB 1060 in order to receive a permit the applicant must also comply with the rules and regs. of the NRD's and two and are access to the property for inspection. The amendment pertains to the penalty provision. It provides that the Class IV misdemeanor penalty would apply, not only to the failure to have a permit, but fail to also comply with the rules and regs. of the NRD's and failure to allow access to property for Without the amendment no penalty could be imposed for failure to comply with these rules and regs. or refuse access. Without this, the bill isn't any good. So I would ask you to adopt this amendment.

PRESIDENT: Is there discussion on the...the motion is to return LB 1060 to Select File for a specific amendment as offered by Senator Haberman. Is there discussion on this motion? If not, the motion is to return the bill. All those in favor vote aye, opposed no. The motion is to return LB 1060 to Select File for a specific amendment. Twenty-five votes required. Members will please record your vote. We will probably need the assistance of all of the members of the Legislature who are within hearing to come into the Chamber and help on Select File matters. Please record your vote on the Haberman motion to return LB 1060 to Select File. Have you all voted? The Clerk will record.

CLERK: 25 ayes, 0 nays on the motion to return the bill.

PRESIDENT: The motion prevails and the bill is on Select file. Senator Haberman.

SENATOR HABERMAN: Mr. President, members of the Legislature, the penalty is already there. But in the way the bill was written it excluded one of them and we have to have both of them in the bill so that the penalty would apply to both. When the bill passed the first time it had