

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

March 20, 1997 LB 248

Those in favor of the Schellpeper amendment vote aye, those opposed vote no. The rate by which we are casting our votes seems to be slowing as the afternoon lingers on. Thank you for your rapidity of marking your preferences. Mr. Clerk.

CLERK: 29 ayes, 0 nays, Mr. President, on adoption of Senator Schellpeper's amendment.

SENATOR LANDIS: It is adopted.

CLERK: Senator Beutler would move to amend the bill, AM1010. (See pages 1134-39 of the Legislative Journal.)

SENATOR LANDIS: Senator Beutler, you are recognized on AM1010.

SENATOR BEUTLER: Senator Landis, members of the Legislature, 1010 is a fairly simple amendment. All it does is with respect to the enforcement provisions of the statute, in addition to the fine that's allowed to be levied, it adds the language "plus the financial benefit derived by the violator as a result of each violation", so that in the appropriate sections of the law that's been added. So that in case there's been a huge economic gain at any particular point in time, they can be allowed to go after that gain, in addition to the fine. There may be situations where the fine really is not large enough to be a disincentive simply because the economic or financial gain might have been large. And so the purpose of this amendment is simply to allow them to go after that financial benefit, if they have any. Thank you.

SENATOR LANDIS: Thank you, Senator Beutler. Senator Schellpeper, you're the only light.

SENATOR SCHELLPEPER: Thank you, Mr. Chairman and members. I rise to support the Beutler amendment. It expands it a little bit about what he had before with AM733, but it's something that needs to be done, so I support the amendment. Thank you.

SENATOR LANDIS: Thank you, Senator Schellpeper. Yours was the only light. Senator Beutler, to close. He waives closing. Question is the adoption of the Beutler amendment. Those in favor vote aye, those opposed vote no. Mr. Clerk.