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whether mandatory versus permissive. I do not see that in the bill, and that's going to be perhaps an important point.

SENATOR LANDIS: Ask me again. I'm sorry. I apologize, Senator Withem, but I'm trying to pay attention.

SPEAKER WITHEM: I understand that, Senator. And I'm trying to give you the opportunity to make your point here. And you...I thought I heard you, at the beginning, indicate a difference between something about permissive authority in one and not permissive authority in another?

SENATOR LANDIS: No, I did say they were permissive. In fact, both of them are discretionary, and in fact I erred by saying that there is a second...that LB 17...I would have implied that it would have been applied in any case. It did apply in the second offense. What has been added is that it has to be the same wrong. The numerical application is the same as I just described. But that's right.

SPEAKER WITHEM: Yeah, I understand the second point. And the question that I have to determine is whether what is substantially the same. And to me it appears as though we are dealing with second and subsequent suspensions. We are dealing with discretionary authority. We are dealing with suspending sale...ordering suspension of sale as an alternative as opposed to electing to paying a cash penalty. The only distinction I see, and admittedly it is a numerical difference, as I understand that, but it is a distinction...the only distinction I see is whether it is for any subsequent suspension, or subsequent for the same violation. For that purpose I'm going to rule that this is substantially the same as LB 17 and would require 30 votes for its adoption. We now then are back to debating the bill itself...the amendment itself. Chair would recognize Senator Hilgert, followed by Senators Robak, Schellpeper, Bohlke, Hudkins, and Witek.

SENATOR HILGERT: Yes, Mr. President, members, I would yield my time to Senator Robak.

SPEAKER WITHEM: Senator Robak.