

February 26, 1979

LB 316

in favor of the Johnson amendment will vote aye. Those opposed will vote no. Rules clarification, we are on Select File. It does take 25 votes. Record.

CLERK: 26 ayes, 0 nays on the adoption of Senator Johnson's amendment to Senator Venditte's amendment.

SENATOR LEWIS: The amendment carries and now we are back to the Venditte amendment as amended by the Johnson amendment. There are no lights on. Senator Venditte, do you wish to close in reply, the Venditte amendment #1? Senator Venditte, do you choose to close in reply on your amendment? Senator Venditte waives closing. The question before the House is the Venditte amendment as amended by the Johnson amendment. All in favor will vote aye. Those opposed will vote nay. Have you all voted? Record.

CLERK: 28 ayes, 0 nays, Mr. President, on the adoption.

SENATOR LEWIS: Motion carries. Next amendment.

CLERK: Mr. President, Senator Venditte now moves to amend: Read. (See Venditte amendment (2) on page 620, Legislative Journal.)

SENATOR LEWIS: Senator Venditte. Clear the Board. Senator Venditte.

SENATOR VENDITTE: Okay, Mr. Chairman and members of the Legislature, I think it is rather obvious what my attempts are in 316 and that is just simply to strengthen 316. I think that with the language that I have included I know that I would be more comfortable with the bill. Again in this particular amendment, I have stricken the words "whenever possible" and I have inserted again "in accord with standard" and I know those words are somewhat vague. I realize, yes, that they are somewhat uncertain but, nonetheless, I think they are important and what is standard, you know, what is sound, are words I think we are simply going to have to let the courts decide on in terms of their interpretation. Again I think those words to mean average. What would the average do under similar circumstances and I would again ask the body to support these amendments, and if there are no questions, Mr. Chairman, I will so move.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: We are dealing with the second Venditte