

March 20, 1979

LB 174

SPEAKER MARVEL: The motion is carried and the bill is advanced. Senator Cullan, are you ready for LB 174 as soon as the Clerk reads the title?

CLERK: (Read title to LB 174.) The bill was first read on January 10. It was referred to the Public Health and Welfare Committee. It was advanced to General File. There are committee amendments pending, Mr. President.

SPEAKER MARVEL: Do you wish to move the adoption of the committee amendments?

SENATOR CULLAN: Mr. President and members of the Legislature, I move the adoption of the committee amendments.

SPEAKER MARVEL: Do you wish to explain the...

SENATOR CULLAN: The committee amendments to...several things. Initially there was some language which relates to unprofessional conduct with respect to a power to revoke licenses for sale and distribution of prophylactics and it was felt that that term was, considering the subject matter of the bill, that that term really didn't mean a great deal and so the committee reworded that language to say that a license may be revoked for violation of any of the rules or regulations adopted pursuant to this act to make it very clear as to what unprofessional conduct would be. So we have eliminated the language "unprofessional conduct". The committee has also amended the bill with respect to the rules and regulations that the department may promulgate. In its original form the bill said that the department might promulgate rules and regulations to finding the activities or practices which would be considered unprofessional conduct. We replaced that to say the Department of Health, this would be, may promulgate rules and regulations to finding the time, place and manner of advertising prophylactics and defining proper sales and distribution procedures. We felt that this was much more clear and did not give them such broad, sweeping authority and it has been the policy of the Public Health Committee as these bills come across much more clearly define what authority the Department of Health does have with respect to rules and regulations. I believe that those are the major committee amendments.

SPEAKER MARVEL: Okay, the motion is the adoption of the committee amendments to LB 174. All those in favor vote aye, opposed vote no. We are voting on the committee amendments to LB 174. Record.