

March 21, 1979

LB 164

ment vote aye, opposed vote no. Clerk, record the vote.

CLERK: 28 ayes, 0 nays, Mr. President.

SPEAKER MARVEL: All right, the first Dworak amendment is adopted. We are now on the second Dworak amendment, page 973 starting with section 10. All those in favor of adoption of that amendment vote aye, opposed vote no. Second Dworak amendment. Have you all voted? We are voting on the second Dworak amendment as found on page 973 starting with section 10 going to the bottom of the amendment. Have you all voted?

SENATOR DWORAK: Mr. President, we are within one vote here and I would sure hate to...

SPEAKER MARVEL: Have you all voted? Record the vote.

CLERK: 25 ayes, 13 nays on adoption of the second Dworak amendment.

Mr. President, the next amendment is offered by Senator Landis. Read. (See page 1032, Legislative, Journal.)

SPEAKER MARVEL: The Chair recognizes Senator Landis.

SENATOR LANDIS: Mr. Speaker, members of the Legislature, I am generally quite sympathetic to LB 164. However, the bill has a local option provision in it that has been touted as giving flexibility to the application of this law. It is my belief that the local option is drawn so tightly as to constitute a charade. Let me start with the language on page 3 and bring out the highlights of where this comes about. Starting with line 17 it begins "The governing board of the incorporated village or the city in which this one structure exists", it jumps down to line 21, "may allow", jumps down to line 25, "more than two bingo occasions per week within this structure or building." Now that is the statement of the local option, and the conditions of that local option follow. First, "Such allowance may be granted for a period not to exceed three years", I think that is reasonable, "and only upon affirmative showing that no building or structure suitable for the conduct of a bingo occasion is available for lease or rental within such political subdivision except the structure or building for which the allowance is sought and that no injury to the public welfare will result from such allowance." The language that I read you simply strikes the condition with respect to an alternative location. There is not a