

March 19, 1981

LR 43
LB 179, 350, 420

The motion then is the adoption of LR 43. All those in favor vote aye, opposed nay. Has everyone voted? Record the vote.

CLERK: 36 ayes, 0 nays on the adoption of the resolution, Mr. President.

PRESIDENT: Motion carries and LR 43 is adopted. Do you want to read some matters in?

CLERK: If I may, Mr. President. Urban Affairs Committee whose Chairman is Senator Landis reports LB 350 as indefinitely postponed; and LB 420 as indefinitely postponed. (Signed) Senator Landis.

I have a reference report from the Executive Board regarding certain gubernatorial appointments.

PRESIDENT: The next bill then on Select File will be LB 179.

CLERK: Mr. President, there are E & R amendments to LB 179.

PRESIDENT: The Chair recognizes Senator Kilgarin.

SENATOR KILGARIN: I move the E & R amendments to LB 179.

PRESIDENT: Motion to adopt the E & R amendments on LB 179. Any discussion? All those in favor of adopting the E & R amendments on LB 179 signify by saying aye, opposed nay. The E & R amendments are adopted on LB 179.

CLERK: Mr. President, I now have an amendment offered by Senator Lamb found on page 976 of the Journal.

PRESIDENT: The Chair recognizes Senator Lamb.

SENATOR LAMB: Mr. President and members of the Legislature, I would refer you to page 976 for the amendment to the bill. This amendment is designed to undo the harm which was enacted with LB 120, Senator Burrows' bill, in regard to the attorney fees for people that are unhappy with local subdivisions of government. The amendment to LB 179 retains the allowance of LB 120 in the award of attorney fees but relieves the public officer or the employee of personal liability for the payment of the civil penalty and attorney fees if the employee or officer acted reasonably and in good faith in the performance of the public duty. It would remain with the governing body to determine what constitutes a reasonable and good faith action. The payment of any monetary awards would be made by the political subdivision in compliance with Section 77-1619. I move the