

February 11, 1982

LB 421

move for the adoption of the amendment.

SPEAKER MARVEL: Senator Cullan, your light is on. Do you wish to talk to this? Okay. The motion is to return the bill as per Senator Schmit's request. All those in favor of returning the bill vote aye, opposed vote no. Record.

CLERK: 28 ayes, 0 nays on the motion to return the bill, Mr. President.

SPEAKER MARVEL: Okay, the bill is returned. Now, Senator Schmit, what is your pleasure?

SENATOR SCHMIT: Mr. President, I move the adoption of the amendment as I have previously explained.

SPEAKER MARVEL: All those in favor of Senator Schmit's amendment vote aye, opposed vote no. Record.

CLERK: 30 ayes, 0 nays, Mr. President, on adoption of the Schmit amendment.

SPEAKER MARVEL: Okay, motion carried. Now we move to advance the bill.

SENATOR SCHMIT: (Mike not activated.)....bill to E & R.

SPEAKER MARVEL: All in favor of that motion say aye. Opposed no. The motion is carried. The bill is advanced, or readvanced.

CLERK: Mr. President, Senator Schmit would now move to return LB 421 to Select File for a specific amendment. The amendment is on page 549 and reads as follows: (Read the Schmit amendment.)

SENATOR SCHMIT: Mr. President, members of the Legislature, the amendment which I offer here today removes Senator Cullan's amendment from LB 421. The amendment as Senator Cullan added it allows the Department of Health to spell out the rules and regulations for the implementation of the bill, all provisions of the bill. It also removes from the title the words "rules and regulations". The reason I asked to have the bill returned to strike that section is that the Attorney General's Office has in the past ruled that such an amendment would be an unauthorized delegation of authority by this Legislature. There are no guidelines whatsoever in the amendment and therefore it would be a