

and he is not too close, based on the 300 foot requirement, is he?

SENATOR WITHEM: No, he may be too close based upon the reasonable and prudent rule there in Section 1, although my contention is that's difficult to enforce. Maybe we do need to look at the bus requirements to be consistent. I'd have no problem with looking at that.

SENATOR CHAMBERS: I have to oppose the bill and I know it's going to go so I'm not going to spend a lot more time talking about it, but I just want in the record what I have said so when problems begin to result, and if somebody gets a ticket under this bill, I want them to go to the legislative record, if they have a decent lawyer, and he or she will look at the discussion and see that the introducer could not state how the law could be enforced, that there was at least one senator on the floor who thought it could not be enforced and there was another senator who offered amendments to try to show the general totality of what we're dealing with, all to no avail. So all I can do is cast my nay vote and I want Senator Withem to understand why I'm really voting no, for the reasons that I have stated.

PRESIDENT: Is there further discussion on the motion to advance the bill? Any closing, Senator Withem?

SENATOR WITHEM: Merely urge you to advance the bill.

PRESIDENT: The motion is to advance...a machine vote is requested, motion is to advance LB 437 from Select File to final E & R. All those in favor vote aye, opposed vote no. A record vote has been requested. Please record your vote if you wish to vote. The motion is to advance LB 437 from Select File to final Enrollment and Review. Please record your vote. The Chair will allow 30 seconds for the recording of your vote. The motion is to advance the bill from Select File.

SENATOR WITHEM: This time let me make a request for a call of the house at this point.

PRESIDENT: Thank you. A call of the house has been requested, and the question now is, shall the house come under call? All those in favor vote aye, opposed vote nay. Record the vote, Mr. Clerk.