

April 16, 1986

LB 600A

that are driving 55 miles an hour on the interstate. I'd rather use a system the way it was set up and be legal.

PRESIDENT: Senator Withem.

SENATOR WITHEM: I would call the question.

PRESIDENT: Question has been called. There are many lights on. Do I see five hands? I do. I'll put the question to you. Shall the debate close? All those in favor vote aye, opposed vote nay. Motion is to cease debate on Senator Warner's motion. Motion is to cease debate. Have you all voted? Record the vote.

CLERK: 28 ayes, 0 nays to cease debate, Mr. President.

PRESIDENT: The motion carries. Senator Warner, you may close. May we have order in the Chamber now so we can hear (gavel) the speaker. Senator Warner.

SENATOR WARNER: Mr. President, members of the Legislature, there is no quarrel.... Mr. President, members of the Legislature, there is no quarrel about the effective date of the act, that is September 15, 1987. As I indicated that was likely the other day. What is a fact is that there is nothing discretionary upon the effective date of this act as to what is necessary for the Secretary of Transportation to do, it is mandatory. And what is mandatory is that no further project approval for funds will occur. Now we could argue that, fine, we have next session to adjust for that. If Congress hasn't acted we can change the date, or we can do something else. Or I suppose the odds are pretty good, we all know how Congress functions. It's very likely they would not have made a change by...while we're in session. We won't know. We may have to do something. Or you could leave the law as it is and assume Congress is going to and then mess with a special session prior to September 15th, 1987, which doesn't make a lot of sense. If you want to pass a resolution, that's fine. You're dealing with a significant different matter when you try to pass a resolution in statute and that's to effect. as I understood the proponents, is to encourage the federal government to make a change. The other thing, and I am concerned, and I understand that there are states that on the formula that is used to determine compliance that some states are in excess of that and have not had any sanctions and it is accurate to state that those sanctions are optional and not mandatory. It is discretionary on the part of