

January 14, 1981

LB 140-151

SPEAKER MARVEL: Item #5, resolutions.

CLERK: Mr. President, LR 4 is found on page 127 of the Legislative Journal. (Read LR 4.)

SPEAKER MARVEL: The Chair recognizes Senator Koch.

SENATOR KOCH: Thank you, Mr. Speaker. I will be very brief. This resolution is self-explanatory. Those of you who remember the recent election, the effect that it had was rather profound on certain local officials in terms of their re-election or defeat. At seven o'clock as you recall the newsmedia, television primarily, declared the winner to be President Reagan-elect and as a result it has been brought to my attention that not only on the west coast but even it affected our own state. Those who were going to the polls suddenly decided the election was resolved and why stand in lines. So what this resolution does is encourages Congress to seriously review the problems and try to correct them by the next presidential election so this does not reoccur. This resolution is being introduced by numbers of other states and the same resolution is being sent to Congress and hopefully they will act positively. Thank you.

SPEAKER MARVEL: The motion is the adoption of LR 4 as explained by Senator Koch. Is there any other discussion? All those in favor of that resolution vote aye, opposed vote no. Record the vote.

CLERK: 27 ayes, 0 nays on adoption of the resolution, Mr. President.

SPEAKER MARVEL: The motion is carried. The resolution is adopted. Do you want to go to the next one? Do you have another resolution? Okay, the next item is the introduction of new bills.

CLERK: (Read LB 140-142.) (See pages 144-145 of the Journal.)

SPEAKER MARVEL: ...(mike not turned on)...need to be processed so if you have some or anticipate some maybe we can get some more in today before we proceed with other business. The Clerk has some items on the desk that he may read in.

CLERK: (Read LB 143-151.)

Mr. President, Senator Koch would like to be excused on Wednesday, January 14 through Friday, January 16 and Senator Marsh would like to be excused all day January 15 and 16.

January 30, 1981

LR 11
LB 30, 37, 39, 69, 140,
207, 312, 363.

your vote for the resolution.

PRESIDENT: Is there any discussion on the Wesely resolution which is LR 11? Seeing none, Senator Wesely, I guess that will be your opening and your closing. The question before the House is the adoption of LR 11. All those in favor vote aye, opposed nay. Record the vote.

CLERK: 31 ayes, 0 nays on adoption of the resolution, Mr. President.

PRESIDENT: The motion carries. The resolution LR 11 is adopted. Mr. Clerk, are there any matters to be read in?

CLERK: Yes, sir, there are. Mr. President, I have a Reference Committee report referring LBs 533, 534 and 535. The Committee on Ag and Environment gives notice of hearing in Room 1520 for March 5 and March 6. The Committee on Public Health and Welfare gives notice for a hearing on February 9, 10 and 17. Your Committee on Public Health and Welfare whose Chairman is Senator Cullan to whom was referred LB 39 instructs me to report the same back to the Legislature with the recommendation it be advanced to General file with amendments; LB 69 to General File with amendments. (See pages 378 and 379 of the Legislative Journal.)

Mr. President, your Committee on Revenue whose Chairman is Senator Carsten to whom was referred LB 140 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File.

Mr. President, I have a motion from Senator Chambers to re-refer LB 363 from Education to the Government Committee. Senator Stoney asks unanimous consent to...or he makes a motion to withdraw LB 312. Pursuant to our rules that will be laid over, Mr. President. Senator Stoney also asks unanimous consent to have his name added to LB 37 as co-introducer.

PRESIDENT: No objections, so ordered.

CLERK: Mr. President, Senator Koch would like to print amendments to LB 207 in the Legislative Journal. (See pages 380 and 381 of the Legislative Journal.) Your Committee on Urban Affairs whose Chairman is Senator Landis to whom was referred LB 37 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendments, and LB 30 General File with amendments. (Signed) Senator Landis (See pages 380 and 381 of the Legislative Journal.)

SENATOR HEFNER: Mr. President, members of the body, I would just like to respond to some of Senator Beutler's questions. This bill is very technical in nature. The Revenue Committee held a hearing on it and we felt that we did have all the problems ironed out, however, I would suggest to the body that we advance this bill to Select File and I will have the legal counsel of the Revenue Committee prepare an informational sheet that will describe some of the questions and answer some of the questions that you had asked and I hope this is satisfactory to the body.

SPEAKER MARVEL: The motion is the advancement of the bill to E & R for review. All those in favor vote aye, opposed vote no. Record the vote.

CLERK: 29 ayes, 1 nay on the motion to advance the bill, Mr. President.

SPEAKER MARVEL: The motion is carried. The bill is advanced. We now go to LB 140.

CLERK: Mr. President, LB 140 is offered by Senator Steve Fowler. (Read title.) The bill was first read on January 14 of this year. It was referred to the Revenue Committee. It was advanced to General File. I have no amendments pending, Mr. President.

SPEAKER MARVEL: Senator Fowler.

SENATOR FOWLER: Mr. President, members of the Legislature, it is a good bill and it ought to be advanced. The bill was introduced on behalf of Lincoln and Lancaster County and it is to remove a dollar limitation with regards to the issue of bonds for a joint city-county jail. The dollar limitation is \$100,000. It was established in 1913 and as I told the Revenue Committee \$100,000 just doesn't buy as much a jail as it used to. In no way does this preclude a vote of the citizens with regards to building such a facility. The bill comes out of a specific need in Lincoln and Lancaster County where we must replace a jail that is not adequate for a variety of reasons and the city and county wish to go to a joint bond issue to finance that. The county has the ability to issue its own bonds but since it is a joint facility jointly used by both governmental units they would prefer to issue the bonds under this section of law and, therefore, they need to remove the \$100,000 limit if, in fact, they are going to have any significant jail constructed. There is no opposition to the bill. I would stress again that the citizens of Lincoln and Lancaster County will ultimately decide the question as far as the bond issue. This no way circumvents the vote of the people. It removes what is kind of a out of

date limitation due to the impact of inflation and with that I would be glad to answer any questions. I don't believe there are any dissenting votes in the Revenue Committee. It is not just a good bill but a fairly routine bill and I would move that it be advanced.

SPEAKER MARVEL: The motion is the advancement of the bill. All those in favor of that motion vote aye, opposed vote no. Have you all voted? Record the vote.

CLERK: 33 ayes, 0 nays on the motion to advance the bill, Mr. President.

SPEAKER MARVEL: The motion is carried. The bill is advanced. The next bill is LB 37.

CLERK: Mr. President, LB 37 is offered by Senators Newell, Wiitala and Stoney. (Read title.) The bill was first read on January 8 of this year. It was referred to the Urban Affairs Committee for public hearing. The bill was advanced to General File, Mr. President. I do have committee amendments pending by the Urban Affairs Committee.

SPEAKER MARVEL: Is there someone here from Urban Affairs that can take the committee amendments?

CLERK: Senator, it will be in your bill book but it will also be on page 381, Senator, in your Journal but also in your bill book. Would you like me to read them? They are rather short? Okay. Mr. President, the committee amendments are: (Read committee amendments to LB 37 as found on page 381 of the Legislative Journal.)

SPEAKER MARVEL: Senator Haberman.

SENATOR HABERMAN: Mr. President and members of the Unicameral, it put back into the bill the election procedures that were stricken from the bill. It put back into the bill that more than 50% of the houses in any Sanitary Improvement District and their owners shall be considered legal residents within such districts for purpose of electing trustees. It does not do any damage to the bill. It helps the bill and that is the original language.

SPEAKER MARVEL: Okay, the motion is the adoption of the amendments. All those in favor of the adoption of the amendments vote aye, opposed vote no, the amendments to LB 37. Record.

CLERK: 29 ayes, 0 nays on adoption of the committee amendments, Mr. President.

February 9, 1981

LB 15, 16, 20, 27, 30, 37,
45, 82, 93, 108, 130,
140, 165, 165A, 178, 185,
187, 238, 244, 260

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: The opening prayer will be given by Pastor Loren Mullins of the Warren United Methodist Church of Lincoln.

LOREN MULLINS: Prayer offered.

SPEAKER MARVEL: Roll call. Please record your presence. Will you please record your presence.

CLERK: Mr. President, Senators Vard Johnson, Carsten, Cullan and Dworak would like to be excused.

SPEAKER MARVEL: Okay, record. The machine is acting up and somebody will be here to fix it fairly soon. Meanwhile we will call the roll verbally. The Clerk will call the roll.

CLERK: Called the roll. We do have a quorum, Mr. President.

SPEAKER MARVEL: Okay, the Clerk has some items to read into the Journal.

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 20 and recommend that same be placed on Select File; LB 165A Select File; LB 178 Select File with amendments; LB 140 Select File; LB 37 Select File; LB 30 Select File; LB 130 Select File; LB 27 Select File; LB 82 Select File and LB 45 Select File, all signed by Senator Kilgarin, Chairperson.

Mr. President, your committee on Public Health and Welfare whose chairman is Senator Cullan to whom was referred LB 260 instructs me to report the same back to the Legislature with the recommendation if be advanced to General with amendments; LB 93 indefinitely postponed and LB 108 indefinitely postponed.

SPEAKER MARVEL: The Legislature will be at ease for the next ten minutes.

EASE

SPEAKER MARVEL: The Legislature will come to order.

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined LB 15 and find the same correctly engrossed, 16 correctly engrossed, 165 correctly engrossed, 185 correctly engrossed, 187 correctly engrossed, 238 correctly engrossed, 244 correctly engrossed,

February 10, 1981

LB 165A, 140, 37, 30, 130

proceed then with, Senator Nichol, LB 165A.

SENATOR NICHOL: Mr. President, I move LB 165A be advanced to E & R engrossing.

PRESIDENT: Motion to advance LB 165A to E & R for engrossment. Any discussion? Senator Johnson, did you want to discuss 165A?

SENATOR V. JOHNSON: I don't know why I do if nobody else does. Just move right along.

PRESIDENT: Okay. No one else does, so the motion before the House is the advance of LB 165A to E & R for engrossment. All those in favor signify by saying aye, opposed nay. 165A is advanced to E & R for engrossment. We will pass over LB 178 since we have been advised there are some amendments being prepared, it will be on the floor, so with the Speaker's permission, we will pass over 178 and go to LB 140, Senator Nichol.

SENATOR NICHOL: Mr. President, I move LB 140 be advanced to E & R engrossing.

PRESIDENT: Motion to advance LB 140 to E & R for engrossment. Any discussion? All those in favor signify by saying aye, opposed nay. LB 140 is advanced to E & R for engrossment. LB 37.

SENATOR NICHOL: Mr. President, I move LB 37 be advanced to E & R for engrossment.

PRESIDENT: Motion to advance LB 37 to E & R for engrossment. Any discussion? All those in favor signify by saying aye, opposed nay. LB 37 is advanced to E & R for engrossment. The next bill is LB 30.

SENATOR NICHOL: Mr. President, I move LB 30 be advanced to E & R for engrossment.

PRESIDENT: Motion to advance LB 30 to E & R for engrossment. Any discussion? All those in favor signify by saying aye, opposed nay. LB 30 is advanced to E & R for engrossment. LB 130, Senator Nichol.

SENATOR NICHOL: Mr. President, I move LB 130 be advanced to E & R for engrossment.

PRESIDENT: Motion to advance LB 130 to E & R for engrossment.

February 11, 1981

LB 20, 27, 29, 30, 37, 45,
82, 125, 130, 140, 150, 165A,
167.

RECESS

SPEAKER MARVEL: Come back to order, please. The Clerk has a couple of items to read in and then we will proceed back with the business as we had it prior to this recess.

CLERK: Mr. President your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 165 and find the same correctly engrossed....165A, excuse me; 20 correctly engrossed; 27 correctly engrossed; 29 correctly engrossed; 30 correctly engrossed; 37 correctly engrossed; 45 correctly engrossed; 82 correctly engrossed; 130 correctly; 140 correctly engrossed. (Signed) Senator Kilgarin, Chair.

Mr. President, your committee on Judiciary whose Chairman is Senator Nichol to whom was referred LB 345 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendments. (Signed) Senator Nichol. (See page 498 of the Legislative Journal.)

Your committee on Banking instructs me to report 125 back to the Legislature with the recommendation it be advanced to General File with amendments; LB 150 to General File with amendments. (Signed) Senator DeCamp, Chair. (See page 499 of the Legislative Journal.)

Mr. President, your committee on Revenue gives notice of exec session. (See page 499 of the Journal.)

SPEAKER MARVEL: The Chair recognizes Senator DeCamp.

SENATOR DeCAMP: Mr. President, I ask unanimous consent to withdraw my motion to bracket.

SPEAKER MARVEL: Any objections? If not, so ordered. Senator Warner.

SENATOR WARNER: Mr. President, I ask unanimous consent to withdraw the kill motion at this point.

SPEAKER MARVEL: Any objections? So ordered. Now is there.....Senator Wesely. The Chair will move that the bill be passed over which will be either tomorrow or the first of the week. Does anybody object? Okay, if not, the bill is passed over. Underneath the south balcony a guest of Senator Marsh from Thailand. His first name is Sam. Do you want to raise your hand so we can wish you Good Morning? Underneath the south balcony.

February 20, 1981

LB 82, 130, 140, 14

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 82 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Record vote read. See page 597, Legislative Journal.) 47 ayes, 0 nays, 2 present and not voting, Mr. President.

PRESIDENT: LB 82 passes with the emergency clause attached. The next bill on Final Reading is LB 130.

CLERK: LB 130 (Read on Final Reading).

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 130 pass? All those in favor vote aye, opposed nay. Record the vote.

CLERK: Record vote read. See pages 597 and 598, Legislative Journal.) 45 ayes, 3 nays, 1 present and not voting, Mr. President.

PRESIDENT: LB 130 passes. The next bill on Final Reading is LB 140.

CLERK: Mr. President, LB 140 (Read on Final Reading).

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 140 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Record vote read. See page 598, Legislative Journal.) 48 ayes, 0 nays, 1 present and not voting, Mr. President.

PRESIDENT: LB 140 passes with the emergency clause attached. The next bill on Final Reading is LB 14.

CLERK: Mr. President, LB 14 (Read on Final Reading).

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 14 pass? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Record vote read. See page 599, Legislative Journal.) 49 ayes, 0 nays, that accounts for everybody, Mr. President.

PRESIDENT: LB 14 passes, and before we go to the next bill, the Chair would like to introduce some guests of Senator Nichol, seated under the South balcony are Walter and Shirley Schlager and Edwin and Lillian Blehm from Scottsbluff. Would

LB 14, 18, 20, 27, 28, 29, 30
37, 41, 42, 43, 45, 46, 81
110, 121, 125, 130, 140,
143, 155, 164, 188, 188A,
207, 207A, 214, 234, 82, 64
234A

February 20, 1981

SENATOR DWORAK: I wish to close, Mr. President. I just reiterate that LB 125 be advanced to E & R initial.

SPEAKER MARVEL: All those in favor of that motion vote aye, opposed vote no. Okay, record.

CLERK: 33 ayes, 9 nays on the motion to advance the bill, Mr. President.

SPEAKER MARVEL: The motion is carried. The bill is advanced. The Clerk has some items on the desk before we adjourn.

CLERK: Mr. President, before we leave Senator Kremer would like to remind the Public Works Committee that they have a hearing at noon today in Room 1517 on Gubernatorial appointments for the public roads classification for motor vehicle licensing board. That is in Room 1517.

Mr. President, I have legislative bills ready for your signature.

SPEAKER MARVEL: While the Legislature is in session and capable of transacting business I am about to sign and I do sign LB 121, LB 64, LB 41, LB 18, LB 14 and engrossed LB 140, engrossed LB 130 and engrossed LB 82, engrossed LB 81, engrossed LB 46 and engrossed LB 45. Okay, Mr. Clerk.

CLERK: Mr. President, I have an Attorney General's opinion addressed to Senator Goodrich. It will be inserted in the Journal. (See pages 608-610.)

Your committee on Enrollment and Review respectfully reports we have carefully examined and engrossed LB 110 and find the same correctly engrossed; 188, 188A, 207, 207A, 214, 234 and 234A, all correctly engrossed.

Mr. President, your Enrolling Clerk respectfully reports she has at 10:37 a.m. presented to the Governor for his approval the following bills: 28, 42, 156, 20, 27, 29, 30, 37 and 43.

Mr. President, Senator Chambers moves to reconsider the action in voting to indefinitely postpone LB 143. That will be laid over.

I have explanation of votes from Senator Haberman and Senator Sieck. (See page 611 of the Journal.)

I have a report of registered lobbyists for February 12