

March 30, 1981

LB 72, 78, 111, 158A,
168

Mr. President.

SENATOR CLARK: The motion carried. The bill is indefinitely postponed. We will now go to number 6, LB 78.

CLERK: Mr. President, while we are waiting, Government, Military and Veterans Affairs will hold an Exec Session underneath the north balcony at noon. Is that right, Senator? Government Committee at noon underneath the north balcony, Mr. President.

Mr. President, new A bill, LB 158A. (Read title.) Senator Carsten would like to print amendments to LB 168; Senator Labeledz to print amendments to LB 72. (See page 1186 of the Legislative Journal.)

Mr. President, LB 78 was a bill introduced by Senator Don Dworak. (Read title.) The bill was first read on January 9. It was referred to the Education. We last considered the bill on March 26, Mr. President. At that time there was a motion to adopt the committee amendments. That motion failed. There was also a motion from Senator Haberman to indefinitely postpone the bill, and that is presently before us.

SPEAKER MARVEL: Senator Dworak, do you want to go over the bill and then we will take up the Haberman motion to kill? But you are recognized now, first.

SENATOR DWORAK: Mr. Speaker, as much as I would like to take the time, it seems to me that the bill was introduced, which I did. Debate had commenced on Senator Haberman's kill motion, and we had a list of speakers that we were going to continue with after the Friday adjournment. Is that correct?

SPEAKER MARVEL: You don't want to be recognized now then, is that right?

SENATOR DWORAK: I thought that we would just commence with that list of speakers as though....(interruption).

SPEAKER MARVEL: Okay, may we have a list of those who wish to speak either for or against LB 78. Will you please punch your button. Okay, the Chair recognizes first Senator Vard Johnson.

SENATOR JOHNSON: (Microphone not on.)....motion on LB 78. A number of years I read the short story by

" ABCB

April 1, 1981

LB 40, 22A, 158A

SENATOR NEWELL: How many people are excused at this point?

SENATOR CLARK: Seven. Six, one of them came in. Everyone is here that isn't excused. Senator Wagner.

SENATOR WAGNER: Mr. Speaker, you need to clear that board.

SENATOR CLARK: I will clear the board. Senator Newell, your light is still one, do you want to turn it off? The question before the House is the advancement of LB 40. All those in favor vote aye, opposed vote nay. Have you all voted? Record the vote.

CLERK: Record, Senator? Senator Dworak requests a record vote, Mr. President. (Record vote read. See page 1258, Legislative Journal.) 27 ayes, 16 nays, 3 excused and not voting, 3 present and not voting, Mr. President.

SENATOR CLARK: The motion passed. The bill is advanced. The Call is raised.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Okay, General File, item #7.

CLERK: Mr. President, LB 22A (Read title). The bill was referred directly to General File, Mr. President, as are all A bills.

SPEAKER MARVEL: Senator Landis.

SENATOR LANDIS: Mr. Speaker, this is the A bill that accompanies the motorcycle training bill that I had introduced and is now resting on General File, rather, on Final Reading. As you recall, the funding mechanism of the bill was an increase in motorcycle registrations only and the distribution of that money for the purposes of the act and the administration of the act is the way in which the bill is carried out. I would ask the approval of the body in sending this along to E & R Initial.

SPEAKER MARVEL: All those in favor of advancing the bill as indicated by Senator Landis vote aye, opposed vote no. Okay, record.

CLERK: 26 ayes, 1 nay on the motion to advance 22A, Mr. President.

Mr. President, 158A, was introduced by the Speaker on request of the Governor. (Read title).

April 1, 1981

LB 158A, 317A

SPEAKER MARVEL: Senator Warner.

SENATOR WARNER: Mr. President, I move that LB 158A be advanced. This is the funding bill for LB 158. It is \$125,450, a revolving fund. LB 158, as you recall, is the bill that provides for energy audits to be made by the Department of Energy on state owned buildings. Energy audits means that they review or look through a particular facility and make suggestions as to how the cost for utilities could be economized. It is anticipated that within a two, I think two to three year or five year period that the cost would more than be made up in savings on utilities but it is a revolving fund paid by each agency based on the amount of time it takes to review specific structure. I move that the bill be advanced.

SPEAKER MARVEL: Motion is the advancement of 158A. All those in favor vote aye, opposed vote no. Record the vote.

CLERK: 27 ayes, 0 nays on the motion to advance 158A, Mr. President.

SPEAKER MARVEL: Motion is carried and the bill is advanced. The next one is LB 317A.

CLERK: Mr. President, 317A, offered by Senator Koch. (Read title.)

SPEAKER MARVEL: Senator Koch.

SENATOR KOCH: Thank you, Mr. Speaker. A couple of days ago we discussed 317 on the floor. If you recall, it has the handicapped children and mental retardation regions. What this does is it appropriates money to these regions to help provide residential care to certain kinds of children. The amount of the bill is six hundred and some odd thousand dollars, but as I told you in my remarks on the floor, almost half of that money is to be transferred from the Department of Education to the Department of Institutions, and the remaining part of it will be appropriated to the regions to provide residential care. I ask for the advancement of LB 317A to E & R Initial.

SPEAKER MARVEL: Senator Dworak.

SENATOR DWORAK: I have a question of Senator Koch, if he will yield? Senator Koch, it seems to me that it was my understanding we were already appropriating this money to regions to provide residential care. There are residential centers in my district. I think there are resi-

April 6, 1981

LR 50
LB 40, 22A, 158A, 317A,
298, 253, 253A, 271,
132, 466, 174, 351, 125,
167

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: The opening prayer will be given by
Senator Rumery.

SENATOR RUMERY: Offered prayer.

SPEAKER MARVEL: Roll call. Please record your presence.
While we are in the process of the roll call may I indicate
to you that today is Senator Kahle's birthday. We wish you
all the best. Record.

CLERK: Quorum present, Mr. President.

SPEAKER MARVEL: Do you have anything under three?

CLERK: Mr. President, your committee on E & R respectfully
reports that we have carefully examined and reviewed LB 40
and recommend the same be placed on Select File. 22A, 158A,
317A, 298, 253, 253A. . . .

SPEAKER MARVEL: Just a minute...(Gavel) okay.

CLERK:271, 132, 466 all placed on Select File, (signed)
Senator Kilgarin, Chair.

Mr. President, LB 174, 351, 446, 125 and LR 50 are ready
for your signature.

SPEAKER MARVEL: While the Legislature is in session and
capable of transaction business, I am about to sign and
do sign LB 174, 351, 446, 125, and LR 50.

CLERK: Mr. President, I have two communications from the
Governor. (See page 1290-91 of the Legislative Journal).

Mr. President, Senator Newell moves to return LB 167 to
Select File for a specific amendment. That will be printed
in the Journal.

Your Enrolling Clerk respectfully reports that she has on
this day presented to the Governor for his approval the
following bill.

Mr. President, I have a report from the Department of
Administrative Services from the State Building Division.

April 9, 1981

LB 132, 158A, 271, 317A

SPEAKER MARVEL: All in favor of that motion say aye. Opposed no. The motion is carried. The bill is advanced. Next, 158A.

SENATOR KILGARIN: I move we advance LB 158A to E & R for Engrossment.

SPEAKER MARVEL: All in favor of that motion say aye. Opposed no. The motion is carried. The bill is advanced. The next one.

SENATOR KILGARIN: I move we advance LB 317A to E & R for Engrossment.

SPEAKER MARVEL: All in favor of that motion say aye. Opposed no. The motion carried. The bill is advanced. 271.

SENATOR KILGARIN: I move we advance LB 271 to E & R for Engrossment.

CLERK: Senator, there are E & R to 271.

SENATOR KILGARIN: I move the E & R amendments to LB 271.

SPEAKER MARVEL: All in favor of that motion say aye. Opposed no. The motion is carried. The E & R amendments are adopted. 271 now.

SENATOR KILGARIN: I move we advance LB 271 to E & R for Engrossment.

SPEAKER MARVEL: All in favor....a machine vote has been requested. All those in favor of advancement of 271 vote aye, opposed vote no. Have you all voted? The motion is the advancement of 271. Have you all voted? Record.

CLERK: 26 ayes, 2 nays on the motion to advance LB 271, Mr. President.

SPEAKER MARVEL: The motion carried. The bill is advanced. The E & R amendments to 132.

SENATOR KILGARIN: I move the E & R amendments to LB 132.

SPEAKER MARVEL: All in favor of that motion say aye. Opposed no. The motion is carried. The E & R amendments are adopted.

SENATOR KILGARIN: I move that LB 132 be advanced to E & R for Engrossment.

April 10, 1981

LB 243, 17, 22A, 59, 158A,
167, 271, 317A, 326, 483

SENATOR GOLL: Mr. Chairman, members of the Legislature, the hour is late. I have no prepared minutes but I just want to say as one who has been involved with an NRD development very closely, very personally, that I would stand in opposition to Senator Sieck's motion. I know people that are on the NRD boards, know them personally. They are fine people. They are elected by us. They do a job. They do it to the best of their ability, and though it is no time to become dramatical, when you say "eminent domain" to me, it is like running in front of that big red bull out in the pasture and no fence within a good three wood shot, and as far as I am concerned, Senator Schmit, the ratio should have been fifty percent instead of seventy-five, and I think we have got to look at this question with a lot of sincerity and purpose in our views. I am for the bill. I am against the proposed kill amendment. Eminent domain is bad. Thank you, Mr. Chairman. It is 11:58 a.m.

SENATOR CLARK: I think we are going to stop right here and we are going to continue this afternoon with priority bills on General File so we will continue with this bill, after the Clerk reads some things in, at one-thirty.

CLERK: Mr. President, Senator DeCamp would like to print amendments to LB 483; Senator Kremer to LB 326.

Mr. President, your Enrolling Clerk respectfully reports that she has presented to the Governor LB 17, 59 and 167.

Your committee on Enrollment and Review reports LB 22A correctly engrossed; 158A correctly engrossed; 317A correctly engrossed; and 271 correctly engrossed. (Signed) Senator Kilgarin.

SENATOR CLARK: Senator Cope, would you like to recess us until one-thirty this afternoon?

SENATOR COPE: Mr. President, members, I move we recess until one-thirty.

SENATOR CLARK: You heard the motion. All those in favor say aye, opposed nay. We are recessed until one-thirty at which time we will take up General File priority bills.

Edited by Arleen McCrory
Arleen McCrory

May 12, 1981

LB 22, 22A, 157, 157A, 158, 158A,
168, 168A, 197, 197A, 245, 245A,
253, 253A, 292, 292A, 317, 317A,
427, 427A, 529

RECESS

SPEAKER MARVEL PRESIDING

CLERK: There is a quorum present, Mr. President.

SPEAKER MARVEL: The Clerk has some items on the desk that need to be read in for the record.

CLERK: Mr. President, I have for your signature LBs 197, 197A, 245 and 245A, LBs 168, 168A, LB 157 and 157A, LB 427 and 427A, LB 292, 292A, LB 317 and 317A, LB 22 and 22A, and LB 158, 158A, and 253 and 253A, Mr. President.

Mr. President, Senator Chronister would like to print amendments to LB 529 in the Journal. (See page 1963 of the Legislative Journal.)

SPEAKER MARVEL: While the Legislature is in session and capable of transacting business, I am about to sign and do sign engrossed LB 197, engrossed LB 197A, engrossed LB 245, engrossed LB 245A, engrossed LB 168, engrossed LB 168A, engrossed LB 157, engrossed LB 157A, engrossed LB 427, engrossed LB 427A, engrossed LB 292, engrossed LB 292A, engrossed LB 317, engrossed 317A, engrossed LB 22, engrossed LB 22A, engrossed LB 158, engrossed LB 158A, engrossed LB 253, engrossed LB 253A. Before we begin with some other bills, it is my privilege to introduce a number of visitors from Senator Cope and Kahle's Districts, ten students, 1st to 10th Grade, First Church of God Christian Academy, Kearney, Pastor Larry Lautaret, Jane Perry, teacher and Chester Trew, sponsor. In the north balcony. Will you hold up your hands so we can see where you are? Okay. From Senator Howard Peterson's District, eight students K through 12th Grade, Calvary Academy, Grand Island, Nebraska, Agnes Rich, Louise Bonne and Bonnie Skala, teachers. Where are you located? Okay. From Senator Chronister's District, eleven students from District 9, District 43, Wisner, Nebraska. Miss Koester and Miss Kansier, teachers. North balcony. Where are you located? Okay. From Senator Dworak's District five students, 3rd and 7th Grade from Christian Liberty Academy, Leigh, Nebraska, Susan Turvy, teacher, also Barbara Hall, in the south balcony. Are you in the south or north? From Senator Beutler's District sixteen 4th Graders, Hawthorne Elementary School, Lincoln, Nebraska, Mrs. Stephenson and Mrs. Anderson, teachers, in the north balcony. Where are you located? From Howard Peterson's District seven students K through 12th Grade, York Christian Academy, York, Nebraska, Edward Moray, Irene Moray, teachers. Where are you located? Okay. From

May 12, 1981

LB 22, 22A, 144, 144A, 157, 157A, 158,
158A, 168, 168A, 188, 188A, 197, 197A,
204, 204A, 207, 207A, 243, 245, 245A,
317, 317A, 253, 253A, 292, 292A, 427, 427A

Mr. President, your committee on Enrollment and Review respectfully reports....your Enrolling Clerk reports that she has presented to the Governor those bills that were read this morning on Final Reading. (See page 1977 regarding LBs 207, 207A, 188, 188A, 144, 144A, 204, 204A, 197, 197A, 245, 245A, 168, 168A, 157, 157A, 427, 427A, 292, 292A, 317, 317A, 22, 22A, 158, 158A, 253, 253A, in the Legislative Journal.)

SENATOR CLARK: I would like to announce the guests of Phyllis Todd from Senator Beutler's District, Mr. Kim, Mrs. Kim and Mrs. Bae-Pusan from Seoul, Korea. They are under the south balcony. Will you stand and be recognized, please? They are in the south balcony. Welcome to the Legislature. LB 243.

CLERK: Mr. President, LB 243 was a bill introduced by Senator Schmit. (Read title.) The bill was first read on January 16, referred to Ag and Environment. The bill was considered by the body on April 10, Mr. President. At that time the committee amendments were adopted. There was an amendment from Senator Schmit that was adopted. The bill failed to advance on that date, Mr. President. I have nothing further on the bill.

SENATOR CLARK: Senator Schmit.

SENATOR SCHMIT: Mr. President and members of the Legislature, I am going to ask you once again to consider LB 243. The bill was heard and discussed and debated at length. The previous time it was up it received 23 votes to advance on a Friday afternoon with about 27 or 8 people on the floor. I think that the fact that we have discussed the bill should perhaps wipe out any reason for a lot of lengthy debate. I know there are a lot of other bills that you want to get to today. I just want to say in reply to a piece of material that is lying on your desk, two and a half pages in length, which casts serious doubts about the problems that LB 243 can cause, I want to say this. You will recall that Senator Kremer and myself and along with several...at least 23 others in this body successfully added about \$2 million to the water development fund. There are rumors now that they may want to cut that back in the Executive Office to \$3 million from 4. That means that we will have about an additional \$800,000 in the water development fund, 50 cents per capita. Not exactly an overwhelming amount of public support I would guess for water development. My concern as I have indicated many times on this floor is this, if we are going to use funds that have been generated by a subdivision of government for

May 18, 1981

LB 158, 158A, 197, 197A,
LB 352, 204, 204A, 245,
245A, 292, 292A, 383, 512

take your seats and the Sergeant at Arms please get those who are not in the Chamber. There are none excused. I take it back, Senator Higgins is excused. Senator Koch and Senator Fowler, would you punch in please? Senator Maresh, Senator Wiitala, Senator Warner, Senator Lamb, Senator Hefner, Senator Newell, Senator Landis, Senator Hoagland, Senator Pirsch. Senator Koch, did you ask for a roll call vote? Okay.

CLERK: Mr. President, while we are waiting, your committee on Public Works reports LB 383 to General File with amendments.

Senators Peterson, Nichol, Burrows, Lowell Johnson, and Sieck would like to print amendments to 512; Senators Beutler and DeCamp to LB 352.

Mr. President, a communication from the Governor addressed to the Clerk. (Read. Re: LBs 158, 158A, 197, 197A, 204, 204A, 245, 245A, 292, 292A. See page 2090, Legislative Journal.)

SENATOR NICHOL: Senator Lamb and Senator Carsten are the two that are not here yet. Senator Koch.

SENATOR KOCH: Mr. Chairman, can we take call in votes and speed this up?

SENATOR NICHOL: If you would like.

CLERK: Senator Chronister voting yes. Senator Hefner voting yes. Senator Hoagland voting yes.

SENATOR NICHOL: Record, Mr. Clerk.

CLERK: 26 ayes, 19 nays, Mr. President, on the motion to advance the bill.

SENATOR NICHOL: The bill is advanced.

CLERK: Mr. President, finally, the last item I am going to read in is a new resolution offered by Senators Kremer, Haberman and Rumery. (Read. See page 2092, Legislative Journal.) That will be laid over, Mr. President.

And, Mr. President, I have notice of hearing from Senator Warner regarding a meeting of the special committee regarding Federal-State-Local Fiscal and Program Policy.

SENATOR NICHOL: You will recall that Speaker Marvel announced