

SPEAKER MARVEL: If I can have your attention, there are a couple of items we would like to announce and then we will recess until about one-thirty. Okay, I will try once more. (gavel.) May I have your attention for a moment. I think this is an item that will be of interest to everybody. We had a caucus of the chairmen, chairpersons this morning. I would like to read a portion of that caucus. Senator Warner made a motion that Friday, January 16, 1981, be the cutoff date for bills going to the bill drafter for introduction within the ten day period. So if you are interested in bills getting to the bill drafter, Friday, January 19, 1981, is the cutoff date for bills going to the bill drafter for introduction within the ten day period, at noon on Friday and this motion will be put in the Journal for your information. (See page 167.)

The other thing, this afternoon we will pass out to you the calendar for the balance of this particular session of the Legislature. So we will pass this out this afternoon.

Now, do you have any other business, Mr. Clerk? Okay, go ahead.

CLERK: (Read LB 167-171. See pages 165-166 of the Legislative Journal.)

SPEAKER MARVEL: This afternoon, hopefully starting right after one-thirty, we will have an additional discussion on rules and hopefully before the end of the afternoon we will have made our decisions on rules for the rest of this year. So this will be coming up this afternoon. Senator Kahle, you had your light on. For what purpose do you rise?

SENATOR KAHLE: Mr. Speaker, I would just like to make an announcement. They have the slips on their lamps but the Government, Veterans and Military Committee will meet immediately after we adjourn this afternoon in our regular meeting room, 1113 I believe it is. Thank you.

SPEAKER MARVEL: Okay, and, Senator Kahle, as long as you are on your feet, do you want to move that we recess until one-thirty? Excuse me, Senator Nichol. Yes, sir.

SENATOR NICHOL: Mr. Chairman, I just wanted to announce that Judiciary will have a short meeting as soon as we adjourn in the Judiciary meeting room.

SPEAKER MARVEL: Okay, the Judiciary Committee will meet. The Government, Military Affairs will meet this afternoon. Okay, now do you want to recess us until one-thirty, please?

LB 17, 22, 86, 123, 151,
155, 169, 171, 190,
220, 247, 294, 482,
537-540, 175

February 20, 1981

and February 19.

Your committee on Urban Affairs reports LB 175 (sic. 171) to General File with amendments; LB 220, General File with amendments, (Signed) Senator Landis.

Government Committee reports LB 247 to indefinitely postpone; 29^h indefinitely postponed.

Your committee on Miscellaneous Subjects report LB 482 indefinitely postponed.

The Appropriations Committee reports LB 155 advanced to General File with amendments.

Your committee on Revenue whose chairman is Senator Carsten reports LB 17 to General File with amendments; 169 to General File with amendments and LB 86 indefinitely postponed.

The Public Works Committee whose chairman is Senator Kremer reports LB 22 to General File with amendments; 190 to General File with amendments; 123 indefinitely postponed.

Your committee on Revenue reports LB 151 to General File with amendments. (See pages 612-615 of the Journal.)

Mr. President, Senator DeCamp makes a motion to withdraw LB 537, 538, 539 and 540 and cancel the public hearings on those bills. So in order to do that we will need to suspend rules to cancel those hearings which were scheduled for next week and I understand we are going to lay that motion over.

SPEAKER MARVEL: We will lay the motion over until next Monday. Senator DeCamp. Senator Marsh, for what purpose do you arise?

SENATOR MARSH: I have misplaced by black purse briefcase. Thank you.

SPEAKER MARVEL: Senator DeCamp, for what purpose do you arise?

SENATOR DeCAMP: Mr. President, members of the Legislature, you all heard what the motion was. Senator Marvel asked that we take it up next week rather than today and I would agree to that. I would simply point out that a couple of these hearings are set for next week and so I would hope that we could take it up right away Monday morning and at that time detail the future of the Task Force and so on and so forth.

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LB 155, 171

section that we are dealing with now that also covers the same section. So this is an executive bill and if there is no support for it then it ought to be killed.

SENATOR CLARK: All those in favor of indefinitely postponing LB 155 vote aye, opposed no. Record the vote.

CLERK: 24 ayes, 1 nay to indefinitely postpone LB 155, Mr. President.

SENATOR CLARK: LB 155 is indefinitely postponed. We will now take up LB 22. Senator Johnson, are you ready to take up 171? All right, we will take up 171 now.

CLERK: Mr. President, LB 171 was introduced by Senator Lowell Johnson. (Read title.) The bill was read on January 14. It was referred to the Urban Affairs Committee for public hearing. The bill was advanced to General File. There are committee amendments pending by Senator Landis' Urban Affairs Committee.

SENATOR CLARK: Senator Landis, the committee amendments.

SENATOR LANDIS: Mr. Speaker and members of the Legislature, Senator Johnson's bill authorizes the use of facsimile signatures in the limited case of cities of the first class on their public works board. He also brought to us the information that county hospital boards were also without legal authority to use facsimile signatures. Since most county boards have been, in fact, using facsimile signatures, Senator Johnson thought it wise and the committee agreed with him that we give them the legislative authority to do that. The amendment simply expands the authorization for facsimile signatures from not only the original intent of the bill of public works committees in first class cities to county health boards as well. I understand that in the language that the committee adopted we left out "superintendents" of county hospitals and that Senator Johnson will offer an amendment to expand yet further that authorization for facsimile signatures. The committee moves the adoption of the committee amendments and I personally will also support the amendment that Senator Johnson will offer with respect to superintendents of county hospitals.

SENATOR CLARK: Senator Johnson, do you want to talk on the committee amendments?

SENATOR L. JOHNSON: Right.

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LB 171

SENATOR CLARK: Go right ahead.

SENATOR L. JOHNSON: Mr. President and members of the Legislature, we offer an amendment to the amendment... the committee amendment, and I think that is on the desk. We add on page 2, line 12 after "of" insert "the superintendent and". The present law provides that vouchers and warrants are to be signed by the superintendent of the facility plus the president and the secretary of the board. The bill drafter's office neglected to insert the word "superintendent" so therefore we would like to amend the committee's amendment to insert that word.

SENATOR CLARK: Is there any discussion on the amendment to the amendment...to the committee amendments? All those in favor vote aye. All those opposed vote nay. Have you all voted? Record the vote.

CLERK: 22 ayes, 0 nays on adoption of the amendment to the committee amendments, Mr. President.

SENATOR CLARK: The amendment is adopted. Senator Landis, on the committee amendments.

SENATOR LANDIS: I move the adoption of the committee amendments, Mr. Speaker.

SENATOR CLARK: Senator Kahle.

SENATOR KAHLE: Mr. President and members, maybe Senator Landis could answer some questions. I have a slight fear with facsimile signatures, especially in a day and age of computers. Just exactly how would these facsimile signatures be used?

SENATOR LANDIS: Well, although I will defer to Senator Johnson if he wishes, in most cases and perhaps experienced in county government as you are, you will just simply recall that there is an ink pad and signature on the ink pad, rather than signing your name you stamp your name.

SENATOR KAHLE: The individual that is supposed to sign is doing the stamping?

SENATOR LANDIS: That is my understanding, yes. It is simply a hand...it's a writer's cramp saver.

SENATOR KAHLE: Well, I appreciate that very much, but I am a little bit concerned about a lot of the checks that we get today that are kicked out I think even by the State

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LB 171

of Nebraska are kicked out of the computer with the signature already on them, and is that a facsimile signature?

SENATOR LANDIS: Yes, I believe it is. A facsimile signature is for the legal purpose of serving as a signature to indicate the endorsement of that person.

SENATOR KAHLE: Even though the person may never have seen the article being signaturized?

SENATOR LANDIS: That's right. You will also notice that on the \$1 bill there is the signature of the Secretary of the Treasury. I mean there is a place in which facsimile signatures are necessary for a government to go forward.

SENATOR KAHLE: That example really worries me, I'll tell you. Thank you.

SENATOR CLARK: Any further discussion on the committee amendments? If not, all those in favor vote aye. All those opposed vote nay.

ASSISTANT CLERK: Senator Clark voting aye.

SENATOR CLARK: Have you all voted? Record the vote.

ASSISTANT CLERK: 26 ayes, 0 nays on the committee amendments as amended.

SENATOR CLARK: The committee amendments are adopted. Senator Johnson, do you wish to explain the bill?
LB 171.

SENATOR L. JOHNSON: Mr. President, members of the Legislature, this bill is not going to shake the columns that hold up this hallowed Chamber, I am sure, but it will save time and effort and money on the part of many people in the area that we are providing for. Utility departments in the first class cities have grown over the years to the point that now every month there are numerous orders for disbursement of funds and a large number of payroll checks associated with each municipal utility. By statute these checks and orders must be individually signed by designated members of the boards of public works. Likewise, disbursement of county hospital funds for bills, claims and salaries must be signed by the hospital superintendent and the president and the secretary of the board of trustees. The intention of this bill is to reduce unnecessary

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LB 22, 169, 171

workloads placed on members of the boards of public works and county hospital boards of trustee members by allowing the members the convenience of the facsimile signature. With today's increasing public pressure on utilities and health care institutions to control and limit their costs, we should not block them from using the most cost efficient operating methods available to them. This bill would also delete some language in Section 16-691 which is obsolete since it refers to Section 16-690 which has been repealed for quite some time. We have indicated on a handout to you the provisions of the bill, the intent and the current list of those authorized to use the facsimile signature, and have also included a sample of one of our own checks which means so much to us as salary with two facsimile signatures shown thereon. I move that LB 171 be advanced for E & R Initial.

SENATOR CLARK: The motion before the House is the advancement of LB 171 to E & R Initial. All those in favor vote aye. All those opposed vote nay.

ASSISTANT CLERK: Senator Clark voting aye.

SENATOR CLARK: Have you all voted? Record the vote.

ASSISTANT CLERK: 28 ayes, 0 nays on the motion to advance, Mr. President.

SENATOR CLARK: The bill is advanced. I would like to take this opportunity to introduce Miss Nancy Wicks of North Platte, a University of Nebraska student, a constituent and personal friend of the family of Senator Myron Rumery. Where are you? Welcome to the Legislature. We will now take up LB 169 by Senator Hefner.

SENATOR HEFNER: Mr. President, I ask unanimous consent to pass over this bill. I think you have the note up there.

SENATOR CLARK: All right, the bill is passed over. LB 22 by Senator Landis.

CLERK: Mr. President, LB 22 was a bill offered by Senator David Landis. (Read title.) The bill was read on January 8 of this year. It was referred to the Public Works Committee. The bill was advanced to General File. There are committee amendments pending by the Public Works Committee, Mr. President.

SENATOR CLARK: Senator Kremer, the committee amendments.

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LB 4, 9, 22, 24, 34, 38,
54, 124, 171, 178, 275,
276, 288, 292, 345,
368, 460, 475, 517

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Pastor David L. Erdman, Plains Baptist Church.

PASTOR ERDMAN: (Prayer offered.)

SPEAKER MARVEL: Record your presence.

CLERK: Mr. President, Senator Vard Johnson would like to be excused until he arrives; Senator Goll, Barrett and Waitala until they arrive.

SPEAKER MARVEL: Have you all recorded your presence? Record the vote. Yes. Senator Marsh, for what purpose?

SENATOR MARSH: I ask for this to be a recorded vote for those who are here at 9:05 a.m.

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

SPEAKER MARVEL: Do you have some items to read in?

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined LB 475 and recommend that same be placed on Select File with amendments; 171 Select File; 22 Select File with amendments. (Signed) Senator Kilgarin, Chair.

Mr. President, your committee on Government reports 292 to General File with amendments; LB 460 to General File; LB 276 Indefinitely postponed; 517 Indefinitely postponed. (Signed) Senator DeCamp, Chair.

Mr. President, LB 288, 275, 54, 38, and 24 are ready for your signature.

SPEAKER MARVEL: While the Legislature is in session and capable of transacting business, I am about to sign and do sign LB 24, LB 38, LB 54, LB 275, LB 288.

CLERK: Mr. President, a communication from the Governor addressed to the Clerk. (Read. Re: LB 9, 34, 124, 178 and 345.) (See page 844, Legislative Journal.)

Two Attorney General's opinions, a first to Senator Koch regarding LB 368. The second to Senator Beutler regarding LB 4. They also will be inserted in the Journal, Mr. President.

Finally, Mr. President, Senator Maresh asks unanimous consent

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LB 22, 171, 475

CLERK: -There are E & Rs, Senator.

SENATOR BEUTLER: Mr. Speaker, I would move the E & R amendments to LB 475 be adopted.

SENATOR CLARK: All those in favor of the E & R amendments say aye, opposed. The amendments are adopted.

SENATOR BEUTLER: Mr. Speaker, I would move that LB 475 be advanced to E & R for engrossment.

SENATOR CLARK: Those in favor of advancing LB 475 to E & R engrossment say aye, opposed no. The bill is advanced. LB 171.

CLERK: No E & R, Senator.

SENATOR BEUTLER: Mr. Speaker, I would move that LB 171 be advanced to E & R for engrossment.

SENATOR CLARK: The move is 171 to E & R. All those in favor say aye, opposed. The bill is advanced. LB 22.

CLERK: There are E & Rs, Senator.

SENATOR BEUTLER: Mr. Speaker, I would move that the E & R amendments to LB 22 be adopted.

SENATOR CLARK: All those in favor of the E & R amendments on LB 22 say aye, all opposed no. The amendments are adopted. Senator Beutler.

SENATOR BEUTLER: Mr. Speaker, I move that LB 22 be advanced to E & R for engrossment.

SENATOR CLARK: All those in favor of advancing LB 22 say aye, opposed. The bill is advanced. LB 190. The Clerk has a motion on the desk.

CLERK: Mr. President, Senator Cullan moves to suspend Rule 5, Section 5 so as to permit the introduction of a new bill, Req. #915.

SENATOR CLARK: Senator Cullan.

SENATOR CULLAN: Mr. President, members of the Legislature, I ask your indulgence to suspend the rules and introduce a new bill which I hope the Public Works Committee could expedite. The bill, the statement of intent or a brief notice has been placed on your desk. The purpose of Req. #915 is to enact a uranium mining code for the State of Nebraska. The uranium mining code sets up a regulatory process for

March 16, 1981

LB 328, 477, 35, 112,
245, 206, 206A, 22, 50,
74, 89, 89A, 171, 194,
425, 475, 500, 550,

SPEAKER MARVEL: The motion is the adoption of the Beutler amendment to the committee amendment. All those in favor of the motion vote aye, opposed vote no. Have you all voted? Have you all voted? Shall the House go under Call, all in favor of that motion vote aye, opposed vote no.

CLERK: 13 ayes, 2 nays to go under call Mr. President.

SPEAKER MARVEL: The House is under Call. All Legislators should be in their seats. Record your presence. Unauthorized personnel please leave the floor. Senator Fenger, Senator Koch, Senator Cope, Senator Kilgarin, Senator Kremer, Senator Schmit, Senator Vard Johnson, Senator Sieck, Senator Landis, Senator Newell, Senator Chambers, Senator Pirsch. Do we have them all now? Senator Vard Johnson and Senator Sieck. Will all legislators please be in their seats before we start the roll call. Senator Beutler everybody is accounted except Senator Vard Johnson. He is across the street. This is a roll call vote on the Beutler amendment to the committee amendment. Are you all in your seats? Okay, call the roll.

CLERK: Roll call vote. 15 ayes, 28 nays, 1 present and not voting, 4 excused and not voting, and 1 absent and not voting. Vote appears on pages 940-941 of the Legislative Journal.

SPEAKER MARVEL: Motion lost. Do you have another item?

CLERK: Mr. President, I have certificates and letters accompanying certificates regarding the overrides of LB 206 and 206A. (See pages 941-42 of the Legislative Journal).

Your committee on Enrollment and Review respectively reports we have carefully examined LB 22 and find the same correctly engrossed, 50, 74, 89, 89A, 171, 194, 425, 475 and 500, all correctly engrossed. (Signed) Senator Kilgarin, Chair.

Your Enrolling Clerk has presented certain bills to the Governor on this day. (See page 943 of the Legislative Journal).

Have a reference report referring LB 550.

Government Committee will meet in Executive Session on Thursday at 1:30 in Room 1113.

Judiciary reports 328 to General File as amended and 477 to General File with amendment.

Public Works reports 35 to General File and LB 112 indefinitely postponed. (Signed) Senator Kremer, Chair.

March 24, 1981

LB 50, 171, 194, 425

CLERK: (Read LB 50 on Final Reading.)

SENATOR CLARK: All provisions of law having been complied with, the question is, shall the bill pass. All those in favor vote aye, opposed no. Record the vote.

CLERK: (Read record vote as found on page 1098 of the Legislative Journal.) 36 ayes, 1 nay, 9 excused and not voting, 3 present and not voting, Mr. President.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: The bill is declared passed on Final Reading. Pass over LB 74 and go to LB 171.

CLERK: (Read LB 171 on Final Reading.)

SPEAKER MARVEL: All provisions of law having been complied with, the question is, shall the bill pass on Final Reading. Those in favor vote aye, opposed vote no. Have you all voted? Record the vote.

CLERK: (Read record vote as found on page 1099 of the Legislative Journal.) 40 ayes, 0 nays, 9 excused and not voting; Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. The next bill, LB 194.

ASSISTANT CLERK: (Read LB 194 on Final Reading.)

SPEAKER MARVEL: All provisions of law having been complied with, the question is, shall the bill pass. Those in favor vote aye, opposed no. Have you all voted? Clerk, record.

ASSISTANT CLERK: (Read record vote as found on pages 1099-1100 of the Legislative Journal.) The vote is 40 ayes, 0 nays, 9 excused and not voting.

SPEAKER MARVEL: The bill is declared passed on Final Reading. The Clerk will read LB 425 on Final Reading.

ASSISTANT CLERK: (Read LB 425 on Final Reading.)

SPEAKER MARVEL: All provisions of law having been complied with, the question is, shall the bill pass. Those in favor vote aye, opposed vote no. Have you all voted? Record the vote.

ASSISTANT CLERK: (Read record vote as found on page 1100 of the Legislative Journal.) The vote is 38 ayes, 0 nays, 2 present and not voting, 9 excused and not voting, Mr. President.

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LR 46
LB 39, 39A, 50, 72, 73,
104, 167, 171, 194, 197,
197A, 252, 425, 475, 500

SPEAKER MARVEL PRESIDING

SENATOR BEYER: (Prayer offered.)

SPEAKER MARVEL: I have a note here that indicates that today is the 35th birthday of Senator Howard Peterson and this occurred on the weekend, March 22, and there will be rolls served in his honor and we wish Senator Peterson the best for the year to come. Have you all recorded your presence? Record.

CLERK: A quorum present, Mr. President.

SPEAKER MARVEL: Do you have items under #3?

CLERK: Mr. President, your committee on Public Works whose Chairman is Senator Kremer reports LB 252 to General File with amendments. (Signed) Senator Kremer.

Your committee on Enrollment and Review respectfully reports that they have examined and reviewed LB 39 and recommend that same be placed on Select File with amendments; 39A Select File; 167 Select File with amendments; 197 Select File with amendments; 197A Select File. All signed by Senator Kilgarin as Chair.

Your committee on Enrollment and Review respectfully reports we have carefully examined LB 72 and find the same correctly reengrossed. (Signed) Senator Kilgarin.

Senator Wagner would like to be excused for the day.

And, Mr. President, LB 73, 194, 50, 171, 194, 425, 475, and 500 are ready for your signature.

SPEAKER MARVEL: While the Legislature is in session and capable of transacting business, I am about to sign and do sign LB 73, LB 104, LB 50, LB 171, LB 194, LB 425, LB 475, LB 500. Item #4, resolution.

CLERK: LR 46 is offered by (read LR 46.)

SPEAKER MARVEL: Senator Lamb, this is your resolution.

SENATOR LAMB: Mr. Chairman and members of the Legislature, this is a resolution which honors Senator Nichol's mother who recently passed away. The fine lady has been a long time credit to the State of Nebraska. I urge the adoption of this resolution.

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LR 47
LB 190, 298, 50, 73, 104,
171, 194, 425, 475, 500

amendment to LB 190 as explained by Senator DeCamp.
All those in favor of that motion vote aye, opposed vote
no. Record the vote.

CLERK: 31 ayes, 0 nays on the adoption of Senator DeCamp's
amendment.

SPEAKER MARVEL: The motion is carried, the amendment is
adopted.

CLERK: I have nothing further on the bill Mr. President.

SPEAKER MARVEL: Senator DeCamp. The motion is to advance the
bill to E & R for Engrossment. All those in favor of the motion
to advance vote aye, opposed vote no. Have you all voted?
Record the vote.

CLERK: 35 ayes, 1 nay on the motion to advance the bill, Mr.
President.

SPEAKER MARVEL: The motion is carried the bill is advanced.
Before we proceed, underneath the North balcony it is my
privilege to introduce Miss Cindy Pace who is a teacher from
Millard and her friend from Ralston who is here under the
auspices of Senator Koch. Cindy, will you stand up so we can
welcome you to the Unicameral?

CLERK: Mr. President, I have a few matters to read in.
Revenue Committee is going to meet in executive session
upon adjournment today in Room 1520.

Your Enrolling Clerk respectfully reports that she has
presented to the Governor LB 73, 104, 50, 171, 194, 425, 475,
500.

I have a Reference Report referring LBs 551 through 555.

A new resolution by (Read LB 47. See pages 1126 and 1127,
Legislative Journal.) That will be laid over, Mr. President.

Mr. President, LB 298 was introduced by Senator Vard Johnson.
(Read title.) The bill was first read on January 19. It was
referred to the Urban Affairs Committee for public hearing.
The bill was advanced to General File. There are committee
amendments pending by the Urban Affairs Committee, Mr. Presi-
dent.

SPEAKER MARVEL: Senator Landis.

SENATOR LANDIS: Mr. Speaker and members of the Legislature,
the committee amendments narrow the impact of the bill and
indicate that, first, the City of Lincoln is exempt and,

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LR 47
LB 171, 253, 556

PRESIDENT LUEDTKE PRESIDING

DR. ROBERT PALMER: (Prayer offered.)

PRESIDENT: Roll call.

CLERK: Mr. President, Senator Labeledz would like to be excused until she arrives. Excuse Senators Hoagland, Newell, and Marsh until they arrive and Senator Cullan all day.

PRESIDENT: Record the presence, Mr. Clerk.

CLERK: A quorum present, Mr. President.

PRESIDENT: A quorum being present, are there any corrections?

CLERK: I have no corrections, Mr. President.

PRESIDENT: The Journal stands correct as published. Any messages, reports or announcements.

CLERK: Mr. President, a communication from the Governor addressed to the Clerk. (Read. Re: LB 171. See pages 1176 and 1177, Legislative Journal.)

Mr. President, I have amendments from Senator DeCamp to be printed in the Journal regarding LB 253. Senator DeCamp would like to withdraw certain amendments to LB 253 as well, Mr. President.

PRESIDENT: All right, the amendments are withdrawn.

CLERK: Mr. President, a new bill, LB 556. (Read title.)

Mr. President, finally, LR 47 is ready for your signature.

PRESIDENT: While the Legislature is in session and capable of doing business, I propose to sign and I do sign LR 47. Before we get started on agenda item #4, the Chair takes pleasure in introducing Senator Howard Peterson's brother from Olympia, Washington, Arthur W. Peterson. Would Art come forward and be recognized? Welcome to the Nebraska Unicameral. We also have a guest of Senator Lamb, Mr. and Mrs. Clifford Armstrong from Broken Bow. They are the parents of Rod Armstrong who is on Senator Fowler's staff. Would the Armstrongs step forward? They are under the North balcony. Good morning and welcome to the Unicameral. We will proceed then with agenda item #4, gubernatorial