

January 16, 1981

LR 5

Taiwan, and to answer Senator Wesely's question, is it going to make Red China unhappy? Are they going to call me or Senator Remmers naughty names for voting for it? I don't think so but they are going to be aware of the fact, they are going to be aware of the fact that this particular state which they have to rely on for agricultural products, too, isn't going to play the game of, we want to be your friend so we stab our old friend in the back. We will export grain to any of them and food, but not on terms of tit for tat, stab old friends for new friends. I urge you to support the resolution.

PRESIDENT: The question before the House is the adoption of LR 5. All those in favor vote aye, opposed nay. Have you all voted? Record the vote.

CLERK: 35 ayes, 3 nays on adoption of the resolution, Mr. President.

PRESIDENT: The motion carries. The resolution is adopted. Anything to be read in before we go into introduction of bills?

CLERK: Well one thing, Mr. President, your committee on Urban Affairs would like to have an executive session for Monday, January 19, 1981, upon adjournment.

Mr. President, your committee on Ag and Environment whose chairman is Senator Schmit gives notice of public hearing in Room 1520 for Friday, January 30. (See page 199 of the Legislative Journal.)

PRESIDENT: We are ready then for agenda item #5, introduction of new bills. Mr. Clerk, you may proceed with the reading of the new bills to be introduced today.

CLERK: Read title to LR 229-233 as found on pages 198-200 of the Legislative Journal. Mr. President, in conjunction with that bill we have a communication from the Governor advising the Legislature as to the intent of the bill and the supplemental appropriations required by various state programs. That will be inserted in the Legislative Journal. (See pages 203-204.)

Read title to LR 233-246 as found on pages 200-203 of the Legislative Journal.

Mr. President, your committee on Public Works gives notice of hearing for January 30 and February 6 and that is signed by Senator Kremer as chairman.

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LB 232, 318, 499

Ron Severson, teacher. They are up here in the North balcony. Would you indicate your welcome to Norris. Welcome to your Legislature. Why don't you read some matters in at this time, Mr. Clerk, and then we are about ready to commence Final Reading.

CLERK: Mr. President, Senator Landis would like to print amendments to LB 499 in the Journal.

Mr. President, Senator Koch moves to reconsider the body's action on the indefinite postponement of LB 318. That will be laid over.

Mr. President, your committee on Appropriations whose Chairman is Senator Warner reports LB 232 to General File with amendments. That is signed by Senator Warner as Chairman.

Mr. President, I have received a report pursuant to LB 722 from the Nebraska Department of Roads.

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LB 232

RECESS

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Record your presence. Have you all recorded your presence? Has everybody recorded their presence so we can start with the perusal of the budgets? Senator Beutler and Senator Newell, would you please record your presence? Okay, record.

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

SPEAKER MARVEL: Before we get into the budget matters, I will introduce from Senator Remmers' District 22 students from Dawson-Verdon School at Richardson County, Karen Flynn, Fred Mack are the teachers. Will you raise your hand so we can see where you are? Welcome! And also in the North balcony, 53 members of the Nebraska Health Care Association. Jim Brown is the Director. Where are you folks? Welcome to you! Senator Warner, are you ready? Senator Warner, you are not ready. Should we try it anyway. Okay. I am sorry. The Clerk will read the title and then we will proceed.

CLERK: Mr. President, LB 232 (Read title). The bill was first read on January 16, referred to the Appropriations Committee for hearing. The bill was advanced to General File. There are committee amendments pending, Mr. President.

SENATOR WARNER: Mr. President, members of the Legislature, I move adoption of the committee amendments. The blue sheet that was passed out by the Pages carries the itemized list of the recommended changes of appropriations during the current fiscal year and the total dollar impact is about two and a half, \$2.6 million, as I recall. I might make a couple of general statements before we start the whole process, Mr. President. First when we get to the other regular appropriation bills, I will use this blue book that was passed out to the members, to your offices, which is easier to follow than the appropriation bills themselves, although there are language from time to time that we may want to identify. Secondly, I would intend not to make any comment other than they are a deficiency bill about the contents themselves in any detail at all on the assumption that we did have a couple of evening meetings in which we spent three hours or better for those who could attend going into more detail, and that to save time I won't go through all that again this time. I would make the one general comment, Mr. President, relative to the appropriation bills this year, I recall that during the years Senator

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LB 232

Marvel was Chairman of Appropriations, he frequently described the budget process as the Uniform Distribution of Dissatisfaction and I would be pleased to report that we have probably reached the ultimate of uniformity this year in that everyone seems to be somewhat distraught with recommendations from Appropriations, and by virtue of the fact that it is a very tight budget. When you have tight budgets, you obviously have had to say "no" to many requests that probably were proper and orderly and desirable but not within the funding capabilities as we saw them. The deficiency bill has these adjustments. The Supreme Court, there is a couple of adjustments for general fund. They are picking up lapsed federal funds in both cases. I think we anticipated these would occur. One of them deal with judicial education and training which a portion...half of the funds were picked up. Another deals with appellate case processing which is the voluntary settlement process. There is some pick up there of \$8,000. In the district courts again picked up part of the funding for judicial training program of the district judges. The Secretary of State, there is a small increase for some utility costs for their storage center which last year's bill did not include. Where you see an asterisks is adjustment in the salary limit in last year's bill but no additional funds are required. Those are always within the available revenue of the department. State Auditor deals with an increase in cash funds authorizing...permitting them to do some audits for federal grants which the cash actually is federal funds that are paid to the auditor for doing their required audits. State Treasurer is also some auditing unclaimed property which was greater than what they had anticipated. The major impact in terms of dollars, now we deal with the Department of Education, all of which in the major increases deal with the mandated statutory reimbursement by the Legislature for either wards of the court or special education and, again, these are always reimbursed after the fact by law. The initial estimates are always conservative and we always anticipate some adjustment is to be required. The other adjustments in the Department of Education are relatively minor and are almost self-explanatory. The State Fire Marshal's Office is also a minor one. It deals with the electrical board in which there was a change in management. They didn't get encumbrances done properly that should have been done. It straightens them out. The Department of Labor is some federal funds they can use for administering the state employment security act. They had not been authorized previously. Institutions, a large dollar amount, \$790,000, this is to replace operating money that was used to do some of the initial repair work as a result of the tornado damage at Grand Island Veterans Home. The Department of Welfare is substantially all reductions in general fund

because the anticipated cost was in almost every case less than had been anticipated. We were able to make reductions in authorization. The last item shows where we had in the bill last time language anticipating some revenue sharing funds to not be available and this clarifies the language so it is general fund but that we had included in the bill last time in anticipation. The difference is that we had \$7.5 million of possible general fund pickup. We only need to use 6.2 and the other 1.3 million is available to the agency and would be used. The Department of Veterans Affairs reflects again a small adjustment because of federal funds of not being continued although this will not be continued on through the following year. The Military Department, the \$700,000, it goes to the Governor's emergency fund. This together with next year's budget will provide an anticipated \$800,000 level of appropriation for the emergency fund this year. It is expected about \$300,000 carryover from the \$700,000 and then there is \$500,000 new and that is after all the anticipated costs that are reimbursable have been either paid or encumbered for the Grand Island tornado. The tuition credit reimbursement is no additional cost. It is a shift between two programs. State Racing Commission is just additional authorization of expenditure of additional racing days. They should have additional income as a result of that, no general fund. The Department of Corrections, there are three or four things there. There is \$56,000 to complete the interior of the vocational trades building at the Correctional Center. The next one replaces some laundry equipment that was destroyed at a fire there and it was intended that that equipment be transferred to the new building and this replaces the equipment which is or will be installed in the new facility and the next one, \$22,000, is only picking up of some general fund money that was anticipated to be cash and this is the work release centers where I suppose by virtue of a combination of several reasons there are not as many people on work release as has been anticipated. They pay a part of the cost of these overhead costs of the facilities that they stay in while on work or education release, and since it came up short, we had to make it up with general fund money. All of the changes in the Board of Trustees of State Colleges merely reflects the distribution of a discretionary fund by the board to each of the campuses. The balance of the adjustments for the State Colleges are either adjustments in revolving funds were as a result of vetoes by the Governor in last year's budget of general fund money and the revolving fund needed to be increased to cover that or there were increases in their cash fund authorization reflecting additional enrollment above and in excess of what the estimate was. The large item of \$480,000 for Wayne State

College represents no increase in the appropriation but merely accelerates the pay or cash flow needs for construction that is going on there now that is well ahead of schedule and so they can pay the contractor accordingly. Oil and Gas Commission is for the...reflects the additional cost yet this year for uranium test holes paid out of their cash funds. There will be a substantial increase in next year's budget for this same reason. Crime Victims Board increase merely reflects the amount of claims they have allowed to date and anticipate to be allowed. Under the existing law they have to prorate. This is what is required so they will not prorate for those reimbursements. Landscapes and architects, a very minor adjustment but it gets them out of a problem that they have had to roll bills for a couple of years and the next biennium this amount is not carried forward but gets them a clean operation. The Hearing Commission again is just an adjustment in the allowance for salaries. No increase in the budget and the last one deals with the Political Accountability Director's salary. It was increased last year by the board by virtue of legislation that had been enacted taking the ceiling off and this allows the adjustment in the salary for the director beginning as of the date he was hired. Their initial request was from the time the agency was established but the committee did not believe that was appropriate, and that, I hope, will be my longest explanation of any of the bills other than response to questions. I move the amendments be adopted.

SPEAKER MARVEL: The motion is the advancement of the bill. Senator Beutler, your light is on.

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, just a couple of questions to clarify the process for me. Senator Warner, if you would, first of all, what is the total deficit appropriation all added up?

SENATOR WARNER: The total deficit deficiency general fund is \$2,536,155. Cash fund is \$255,650. Federal fund is \$91,765. Revolving is \$59,881. The significant figure, the total is \$2.9 million, a little over. The significant figure would be \$2.5 million general fund. It would be higher, you understand, were it not for the fact there are substantial reductions in welfare's budget of general fund money during the current year.

SENATOR BEUTLER: Okay, with regard to how an agency goes about getting a commitment on a deficit appropriation, if, for example, in the case of the Grand Island tornado, there were certain repairs that had to be made and if the agency knew that the money was not in the current appropriation or

in the current emergency fund to make those repairs, then before it entered into a contract it had to have some kind of reliance that the money would be there to pay that contract, I don't understand that process fully. How does the agency head know from the Legislature that there will be this kind of an appropriation to pay those contracts at the appropriate time?

SENATOR WARNER: There is no official way that they could know as such. In the case of the Grand Island situation, first there is an emergency fund for disaster which was established some years ago other than the Governor's emergency fund for which I think we have only appropriated money once or twice in the last ten years. So under existing appropriations and existing practices if this kind of a situation arises they have to utilize some operating funds which they could legally do to make those emergency repairs. Specifically in the Grand Island case they did make some initial repair that was relatively inexpensive, comparatively inexpensive, and then as I recall, there was a second storm that came along, not a tornado, but a storm of sufficient violence to destroy some of the temporary work and then there was substantial damage or possible potential damage. There was communications at that time between the Department of Administrative Services and myself and I believe, as I recall, to the Appropriations Committee during that same process which we all acknowledged that no one had the authority to make a commitment that the funds would be picked up, if they used the operating money, but obviously it was a good and necessary decision to make the repairs immediately and I think the Senators on the Appropriations Committee during, and this is over a month and a half or so, probably made an individual concurrence that they felt it was the proper thing to do and would in fact support replacement of that operating money. And then when the request comes through, that, of course, is what we are suggesting to you. If the Legislature refuses to do it, the agency is just out of that of their operating money.

SENATOR BEUTLER: Okay, so, for example, if I understood the chronology of the events in Grand Island properly, there was a point in time when they could have entered into contracts prior to the storm of August that caused further damage and some of the executive branch people indicated that the contracts were not entered into and the work begun before that second storm because they had no assurances with regard to appropriations. Given the history of deficit appropriations and the method that has traditionally been used in Nebraska, is that a valid reason for not proceeding to enter into contracts for immediate

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LB 232

repair of buildings that are exposed to weather?

SENATOR WARNER: In retrospect, obviously, Senator Beutler, it would have been better to have made more extensive alterations immediately. I think what they did most immediately was the kind of emergency thing that probably was the only practical thing that could be done in a very short period of time and that might have been sufficient had not the second storm come and I suppose they feel like I feel when I don't take hail insurance out on the wheat field and it hails the week before I decided I ought to do it. You know, obviously I was wrong but I was not necessarily wrong at the time only in retrospect.

SENATOR BEUTLER: Okay, thank you. Thank you, Mr. Speaker.

SPEAKER MARVEL: The motion is the adoption of the committee amendments. Senator Kahle.

SENATOR KAHLE: Mr. Speaker, just one question of Senator Warner, too, if I could. On the Department of Welfare, is this actual money that was not spent last year, then, or is that the predicted cost for next year?

SENATOR WARNER: No, this would all reflect 80-81 appropriation. As I am sure you know all those welfare projected general fund requests are on a projection basis and usually there is some adjustment almost always up or down. We obviously were a little high last year.

SENATOR KAHLE: This does not indicate that the cost of the welfare program has gone down, does it?

SENATOR WARNER: No. It did not go up as much as we had anticipated.

SENATOR KAHLE: Okay, that answers my question, thank you.

SPEAKER MARVEL: The motion is the adoption of the committee amendments as explained by Senator Warner. All those in favor vote aye, opposed vote no. Record the vote.

CLERK: 28 ayes, 2 nays, Mr. President, on the adoption of the committee amendments.

SPEAKER MARVEL: Motion is carried and the committee amendments are adopted. Now we are ready for, what, LB....okay, the motion now is the advancement of the bill first. All those in favor vote aye, opposed vote no. Have you all voted? Have you all voted? This is advancement of the bill. Record the vote.

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LB 232, 160, 161

CLERK: 26 ayes, 2 nays, Mr. President, on the motion to advance LB 232.

SPEAKER MARVEL: The bill is advanced. We now go to LB 160.

CLERK: Mr. President, LB 160 (read title). The bill was read on January 14, referred to Appropriations. The bill was advanced to General File, Mr. President.

SPEAKER MARVEL: Senator Warner.

SENATOR WARNER: Mr. President, I move that LB 160 be advanced. As the title states, it is the salary bill for the members of the Legislature and as required by the Constitution contains no other subject and reflects the full authorized expenditure of the Constitution of \$400 a month. I move the bill be advanced.

SPEAKER MARVEL: The motion is to advance LB 160. All those in favor of advancing the bill vote aye, opposed vote no. Record the vote.

CLERK: 29 ayes, 0 nays on the motion to advance 160, Mr. President.

SPEAKER MARVEL: The motion is carried. The bill is advanced. Are you ready to discuss 161?

CLERK: Mr. President, LB 161 offered by the Speaker at the request of the Governor. (Read title). The bill was read on January 14, referred to Appropriations. The bill was advanced to General File. There are committee amendments pending, Mr. President.

SENATOR WARNER: Mr. President, I move LB...there are committee amendments?

CLERK: Yes, sir. (Read Standing Committee amendment found on page 1457 of the Journal.)

SENATOR WARNER: I move adoption of the amendments. The two amendments reflects the adjustment in the salary reflecting the state salary policy of the court reporter of the Supreme Court and of the Tax Commissioner's Office. Right? Excuse me, no. I am sorry. It is the Clerk of the Supreme Court and the court reporter only. I move that the amendment be adopted.

SPEAKER MARVEL: The motion is the adoption of the committee amendments to LB 161. All those in favor of adopting those

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LB 160, 161, 163, 232, 241,
252, 326, 557-562

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer this morning by the Reverend Dwayne Lueck from Trinity Lutheran Church, Martinsburg, Nebraska. This is Senator VonMinden's pastor.

REV. LUECK: Prayer offered.

PRESIDENT: Roll call. Has everybody registered your presence? Record the presence, Mr. Clerk.

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

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

CLERK: Mr. President, correction, page 1577, line 7, add Senator Hefner's name after Sieck.

PRESIDENT: Correction so ordered. Any messages, reports or announcements, Mr. Clerk?

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 252 and recommend that same be placed on Select File with amendments; LB 326 Select File with amendments; LB 232 Select File with amendments; LB 160 Select File; LB 161 Select File; LB 557 Select File; LB 558 Select File; LB 559 Select File with amendments; LB 560 Select File; LB 561 Select File; LB 163 Select File with amendments; LB 562 Select File, all signed by Senator Kilgarin as Chair.

Mr. President, LR 60 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 60. We are ready then for agenda item #4. The Sergeant at Arms will see that all members are at their desks and clear the aisles for Final Reading. We are ready for Final Reading as soon as everyone takes their places. We are about ready for Final Reading. As soon as everyone is in their place we will commence Final Reading. All right, we will commence. The first bill on Final Reading, Mr. Clerk, is LB 241.

CLERK: (Read LB 241 on Final Reading.)

PRESIDENT: (Interrupts reading.) Pardon me, Mr. Clerk, will you stop please. Senator Koch, for what purpose do you arise?

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SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: While we are waiting for a quorum, underneath the south balcony we welcome Mr. R. J. Roberts of Scottsbluff, a constituent of Senator Nichol's, and Mr. Roberts is also a member of the Nebraska Silverhaired Legislature. Will you please rise so we may welcome you. Also underneath the south balcony, it is my pleasure to introduce former Senator and Speaker, Don Thompson of McCook. Don Thompson is seated next to Senator Vickers and is naturally alerting Senator Vickers to some of the finer points of legislation. Mr. Thompson, Don, we welcome you. Senator Koch, for....

SENATOR KOCH: Mr. Speaker, a point of personal privilege.

SPEAKER MARVEL: State your point.

SENATOR KOCH: I'll state the question to you.

SPEAKER MARVEL: Yes, sir.

SENATOR KOCH: Did Senator Thompson do a better job in creating expedition and efficiency than you are doing now, Mr. Speaker?

SPEAKER MARVEL: Much better, but you see you also have to remember he didn't have somebody like you. Record.

CLERK: Quorum present, Mr. President.

SPEAKER MARVEL: Do you have announcements?

CLERK: No, sir.

SPEAKER MARVEL: I think you have been alerted to the fact that tomorrow we have the consent calendar and copies are on the desk and we will work through the noon hour. So you can alert...and that also means you get out earlier. Senator Warner, would you like to start out on Appropriation bills now?

SENATOR WARNER: I guess so.

CLERK: Mr. President, we do have E & R amendments to LB 232.

SPEAKER MARVEL: Okay, Senator Warner, do you want to start with LB 232? Okay. Before we start, just one moment, from

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LB 132, 160, 232

Senator Carsten's District there are thirteen student Seniors of the Nemaha Valley School at Cook, Nebraska, Randy Smith, teacher, Gary Anderson, Principal, north balcony. Hold up your hands so we can see where you are. Welcome. Senator Warner. Oh, I am sorry. Senator Kilgarin, go ahead.

SENATOR KILGARIN: I move the E & R amendments to LB 232.

SPEAKER MARVEL: The motion is the adoption of the E & R amendments to 232. All those in favor of that motion say aye. Opposed no. The motion is carried. The E & R amendments are adopted.

CLERK: Mr. President, Senator Warner has Appropriation Committee amendments found on page 1641.

SENATOR WARNER: Mr. President, I move the adoption of the amendment. This is the deficiency bill. There is an adjustment in the appropriation that goes to the Board of Barbers to adjust the cash fund appropriation by \$1453 to be consistent with the salary policy of the current year and the per diem limitations. It is an increase in that amount to their deficiency. I would move the committee amendment's adoption.

SPEAKER MARVEL: The motion is the adoption of the committee amendment to LB 232. All those in favor of that motion vote aye, opposed vote no. Record the vote.

CLERK: 30 ayes, 0 nays on adoption of the Appropriation Committee amendment, Mr. President.

SPEAKER MARVEL: The motion is carried and the committee amendment is adopted. We go now to 160.

CLERK: Well, Senator, we need to advance the bill and I have nothing further on it.

SPEAKER MARVEL: I'm sorry. Senator Kilgarin, do you want to advance the bill.

SENATOR KILGARIN: I move we advance LB 232.

SPEAKER MARVEL: All in favor of that motion say aye. Opposed no. The motion is carried. Are we ready for 160 then?

CLERK: Yes, sir. Mr. President, I have nothing on LB 160.

SPEAKER MARVEL: Senator Warner.

May 4, 1981

LR 72-75
LB 548, 549, 134,
160, 161, 179, 232

SPEAKER MARVEL PRESIDING

CLERK: Mr. President, Senator Johnson and Hoagland would like to be excused until they arrive.

SPEAKER MARVEL: We are on. . . . Okay, record the vote.

CLERK: Quorum present, Mr. President.

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

CLERK: Mr. President, your committee on Business and Labor whose chairman is Senator Maresh reports LB 548 to General File with amendments, LB 549 indefinitely postponed, both signed by Senator Maresh as Chair.

Mr. President, new resolutions LR 72 calling for an interim study by the Banking Committee regarding continuing study of LB 137, LR 73 offered by the Banking Committee regarding continuation study of LB 358 and LR 74 by the Banking Committee to study the Nebraska Investment Council's formulation of establishment of policies to govern its methods, practices and procedures.

Mr. President, LR 75 by Senator Beyer. Read LR 75. That will be laid over Mr. President.

Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 134 and find the same correctly engrossed, 160, 161, 179 and 232 all correctly engrossed. (Signed) Senator Kilgarin, Chair.

May 6, 1981

LB 557, 232, 160, 161,
163

PRESIDENT: He is ignoring you as only he can do. He is over there ignoring you, he is so surrounded by. . . you missed your chance. We will go ahead then to the next item, under agenda item number five, which is on motions on returning to Select File for specific amendment, the budget, starting with LB 232, Mr. Clerk.

CLERK: Mr. President, I have no motions on 232.

PRESIDENT: All right shall we go on to 160 then.

CLERK: Mr. President, I have no motions on LB 160.

PRESIDENT: All right, what about 161?

CLERK: I have nothing on 161.

PRESIDENT: What about 163?

CLERK: I have nothing on 163.

PRESIDENT: Would you try 557.

CLERK: Mr. President, I do have a motion on 557. Senator DeCamp would move to return LB 557 to Select File for a specific amendment. The amendment is found on page 1756 of the Journal and it would read as follows. Read DeCamp amendment.

PRESIDENT: All right. Before we do could we have a little bit of order. It is very hard to hear and this is a very important appropriations matter.....draw your attention it is LB 557. The Chair recognizes Senator DeCamp.

SENATOR DeCAMP: I need a Page to hand out some things. Mr. President and members of the Legislature, I'm not going to try to take very much time on this, I happen to know the outcome, I can count and my good friends can count but I think I have to make some points because it may be important in the future. So, in the minutes that I have on the opening statement I'm going to tell you the mechanics of what I am proposing overall, the net effect of what I am proposing, the net effect of going ahead without the proposal, at least in my opinion and then in my closing on the issue I will deal with some philosophical things. There are a number of motions. I will tell you in advance so we don't waste time, if the first one fails, I'll withdraw all of the others, so that is an incentive I suppose to make it

May 7, 1981

LB 161, 163, 232, 557

having been complied with, the question is, shall LB 161 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Read the record vote as found on pages 1814 and 1815 of the Legislative Journal.) 44 ayes, 0 nays, 5 excused and not voting, Mr. President.

PRESIDENT: LB 161 passes with the emergency clause attached. The next bill on Final Reading, Mr. Clerk, is LB 232.

ASSISTANT CLERK: (Read LB 232 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 232 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Record the vote.

CLERK: Senator Nichol voting aye. (Read the record vote as found on pages 1817 and 1818 of the Legislative Journal.) 43 ayes, 2 nays, 3 excused and not voting, 1 present and not voting, Mr. President.

PRESIDENT: LB 232 passes with the emergency clause attached. The next bill on Final Reading is LB 163.

CLERK: (Read LB 163 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 163 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Read the record vote as found on page 1818 of the Legislative Journal.) 45 ayes, 0 nays, 2 excused and not voting, 1 present and not voting, Mr. President.

PRESIDENT: LB 163 passes with the emergency clause attached. The next bill on Final Reading is LB 557.

CLERK: (Read LB 557 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 557 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Read the record vote as found on page 1819 of the Legislative Journal.) 47 ayes, 1 nay, 1 excused and not voting, Mr. President.

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LR 117, 118
LB 160, 161, 163, 232, 557,
LB 389, 558, 559, 560, 561,
562

be reviewed before anybody would receive any assistance under this program to ensure that some existing program can't take care of their needs. So all it is is an amendment to add educational programs to that other list to make sure that we don't provide assistance that can't otherwise be provided.

SPEAKER MARVEL: All those in favor of the adoption of the Wesely amendment, or the...yes, it's the Wesely amendment, isn't it....Wesely-Schmit amendment vote aye, opposed vote no. While we are waiting for your vote, from Senator Lowell Johnson's area it is my privilege to recognize thirty-five 7th and 8th Graders from Trinity Lutheran School, Fremont, Nebraska, four teachers and Harold Bergt, in the north balcony. Will you hold up your hands so we can see where you are and welcome you to the Unicameral. From Senator Fenger's District ninety-seven 4th Graders, Belleaire School, Bellevue, Nebraska, Myrtle Bailey, Marge Mosier, Connie Franklin and Ray Nesbitt teachers, in the north balcony. Where are you located, please? Welcome to the Unicameral. And from Senator Beyer's District four Sophomores from Papillion High School, Corey Swanson, Laurie Thompson, Kathy Gothier and Michelle Buchard, all from Papillion, and they are a part of the American Political Behavior Class. Are you still up there? Okay. The record will indicate they were here. Record.

CLERK: 26 ayes, 0 nays, Mr. President, on adoption of the Wesely-Schmit amendment.

Mr. President, if I may before we proceed to the next amendments, Senator Dworak would like to offer explanation of votes. I have study resolutions from Senator Vickers, LR 117. The purpose of this study is to examine irrigation development in the Sandhills region of Nebraska. (See page 1824 of the Legislative Journal.) LR 118, by Senator Hoagland. The purpose of the resolution is to study the adequacy of existing laws in Nebraska regulating the sale and possession on handguns. (See page 1825 of the Legislative Journal.) That will be...both referred to the Executive Board, Mr. President.

Mr. President, budget bills 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 160, 161, 163, 232, 557, 558, 559, 560, 561 and 562.

CLERK: Mr. President, the next amendment I have to LB 389 is offered by Senator Maresh. (Read the Maresh amendment

May 13, 1981

LB 412, 160, 161, 163, 232,
557, 558, 559, 560, 562

are related and as the interest rate goes up, unless you are going to drive up the price of land even higher, the interest rate goes up then the period of time which is set necessarily must be reduced. For that reason I move the three year provision.

SENATOR CLARK: Being that I was told to close at four o'clock, it is now eight minutes after four, we still have to read the Governor's message, we are going to break off right here and read the Governor's message. Then we will adjourn for the day.

CLERK: Mr. President, I have a series of things. The first obviously is the Message from the Governor addressed to Dear Mr. President and Senators: (Read letter as it appears on pages 2006-2008 of the Legislative Journal).

Mr. President, in conjunction with that I have a letter addressed to the Clerk, from the Governor, Engrossed Legislative Bills 160, 161, 163, 232, 557, 558, 559, 560 and 562 were received in my office on May 7th. These bills were signed by me on May 13th and delivered to the Secretary of State. Sincerely, (signed) Charles Thone, Governor.

Mr. President, Senator Wagner would like to print amendments to LB 302 in the Legislative Journal.

Your Enrolling Clerk has presented for the Governor his approval of bills that were read on Final Reading today, Mr. President.

SENATOR CLARK: Senator Remmers, would you like to adjourn us until 9:00 a.m., tomorrow morning.

SENATOR REMMERS: Mr. Speaker, I move we adjourn until 9:00 a.m. Thursday morning.

SENATOR CLARK: You heard the motion. All in favor say aye, opposed, we are adjourned until 9:00 a.m., tomorrow morning.

Edited by *L. M. Benischek*
L. M. Benischek