

February 9, 1981

LB 21, 67, 77, 80,
LB 104, 124, 143, 167, 234A,
LB 186, 188A, 206, 221, 236

SPEAKER MARVEL: The Chair is going to make a suggestion. We are going to be facing this kind of procedure from now on and the Chair would like to meet with Senator Chambers. The Chair would like to meet in the Speaker's office with Senator Chambers, Senator Beutler, Senator Kremer and Senator Goodrich immediately upon adjournment and see if we can settle this without taking all this extra time. Now what is before the House? Okay, the Clerk has some items to read in. I would like to meet with Senator Chambers, Beutler, Kremer and Goodrich as soon as we adjourn.

CLERK: Mr. President, your committee on Public Works gives notice of hearing in Room 1517. Your Committee on Education gives notice of public hearing in Room 1517.

Mr. President, a second notice from the committee on Education regarding scheduling of public hearings.

Mr. President, new bills. (Read LB 188A; LB 234 A. See page 478 of the Legislative Journal.)

Mr. President, I have an Attorney General's opinion addressed to Senator Maresh regarding LB 518 from the 1977 legislative session.

Senator Burrows would like to have amendments printed in the Legislative Journal. (See page 479 regarding amendments to LB 167.)

I have notice of hearing from the Public Works Committee.

Mr. President, your committee on Ag and Environment whose chairman is Senator Schmit to whom is referred LB 80 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; 104 General File with amendments; 236 General File with amendments, (Signed) Senator Schmit. (See page 480 of the Journal.)

Your committee on Government, Military and Veterans Affairs whose chairman is Senator Kahle to whom is referred LB 221 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; 21 General File with amendments; 186 General File with amendments, (Signed) Senator Kahle. (See page 481 of the Journal.)

Mr. President, your committee on Miscellaneous Subjects whose chairman is Senator Hefner to whom is referred LB 124 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; 206 General File; 67 General File with amendments; 77 General File with amendments.

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LB 110, 234A

CLERK: Mr. President, LB 234 A offered by Senator Maresh. (Read title).

SPEAKER MARVEL: All those in favor of advancing the A bill, 234A, vote aye, opposed vote no. Record the vote.

CLERK: 32 ayes, 0 nays on the motion to advance 234A, Mr. President.

SPEAKER MARVEL: The motion is carried. The bill is advanced. The next bill, 110.

CLERK: Mr. President, LB 110 is offered by Senator Don Wagner. (Read title). The bill was read on January 12. It was referred to the Public Works Committee. It was advanced to General File, Mr. President.

SPEAKER MARVEL: Senator Wagner, (microphone not on)... the bill.

SENATOR WAGNER: I think Senator Beutler.....

SPEAKER MARVEL: Senator Wagner, do you want to explain the bill and then I think Senator Beutler has an amendment.

SENATOR WAGNER: Mr. Speaker and members, the bill basically the only thing it really does is strike some language in there that takes out the piece that prohibits an NRD district from building a headquarters building or administration building. If you go back to the NRD law, it was started back in about 1968-'69, and the bill then at that time was 1357 and the purpose of the bill was to consolidate the various SWCDs, advisory groups. There was approximately 500 of them. It really brought into a consolidation a number of these units like this and then we came up with 24 NRD districts. Some of the senators here were here at that time and going back to the testimony, it was a pretty lengthy debate, there was a lot of work that was put in on it. Senator Kremer was here. Senator Warner, and many of the others, Senator Carsten and so forth. But as the bill passed across from committee hearings and came here on the floor there was considerable debate upon it, and in the last moments of that bill's passage there was a concern about NRDs and building maybe, so to speak, castles. The amendment was put in there to eliminate anything like this. Since that time there has been approximately ten years that have passed. The NRDs are

February 17, 1981

LR 16
LB 24, 109, 110, 114, 143, 188,
188A, 207, 207A, 234, 234A, 246,
325, 388.

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by Paster Rodney Hinrichs from the Rejoice Lutheran Church here at Lincoln.

PASTOR RODNEY HINRICHS: Prayer offered.

PRESIDENT: Roll call.

CLERK: Mr. President, Senator Higgins would like to be excused. Senator Labeledz and Chronister until....

PRESIDENT: Record the presence.

CLERK: Quorum present, Mr. President.

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

CLERK: I have no corrections, Mr. President.

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

CLERK: Mr. President, your Enrollment and Review Committee respectfully reports they have carefully examined and reviewed LB 207 and recommend that same be placed on Select File; 207A; 188; 188A; 234; 234A; 110; 143 and 109 all placed on Select File. (See pages 525 and 526 of the Legislative Journal.)

Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 24 and find the same correctly engrossed.

Mr. President, your committee on Public Works whose Chairman is Senator Kremer to whom was referred LB 114 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendments; 246 General File with amendments; 325 General File with amendments; 388 General File with amendments. (Signed) Senator Kremer, Chair. (See pages 526 and 527 of the Legislative Journal.)

Mr. President, I have a unanimous consent request to have Senator Clark add his name to LR 16.

PRESIDENT: Any objections? If not, so ordered.

CLERK: Mr. President, LR 16 is ready for your signature.

February 19, 1981

LB 234, 234A, 143

called for \$200 a day. Excuse me, Senator Schmit, this is increasing the burial benefits from \$1000 to \$2000. I thought we was talking about the other bill.

SENATOR SCHMIT: I see, yes. Is this the maximum payment you can receive for burial if an employee is killed on the job?

SENATOR MARESH: That is correct.

SENATOR SCHMIT: And that goes up to \$2000?

SENATOR MARESH: Yes, and there is an average of two deaths like this per year so the fiscal impact is only \$2000.

SENATOR SCHMIT: Yes. That is been quite a little while since that has been raised, right?

SENATOR MARESH: It has been a long time, right. That is correct.

SENATOR SCHMIT: Okay, thank you, Senator.

SPEAKER MARVEL: Okay, the motion is the advancement of the bill. Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 234 to E & R for engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. Motion is carried. The bill is advanced. 234A.

CLERK: I have nothing on the bill, Senator.

- SENATOR KILGARIN: I move we advance LB 234A to E & R for engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. Motion is carried. The bill is advanced. The next bill is LB 110.

CLERK: I have nothing on the bill, Senator.

SENATOR KILGARIN: I move we advance LB 110 to E & R for engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. Motion is carried. Bill is advanced. The next bill is LB 143.

CLERK: There are E & R amendments, Senator.

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

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LB 459A, 234A

SENATOR CLARK: The question before the House is the adoption of the amendment. All those in favor vote aye. All those opposed nay. Record the vote.

CLERK: 26 ayes, 0 nays, Mr. President, on the motion to adopt the amendment.

SENATOR CLARK: The amendment is adopted. The question now is the return of the bill to E & R. All those in favor say aye, opposed. The bill is returned. We are going to return 234A with Senator Fowler.

CLERK: Mr. President, Senator Fowler moves to return 234A to Select File for a specific amendment.

SENATOR CLARK: Senator Fowler.

SENATOR FOWLER: Senator Warner pointed out to me, brought to my attention that the A bill for 234 needed an amendment as well and we have that developed since we returned 234 and adopted an amendment. This simply brings the A bill in conformity with that amendment. So I would move that motion.

SENATOR CLARK: The question is the return of the bill for a specific amendment. All those in favor vote aye. All those opposed vote nay.

CLERK: Senator Clark voting yes.

SENATOR CLARK: Record the vote.

CLERK: 25 ayes, 0 nays on the motion to return the bill, Mr. President.

SENATOR CLARK: The bill is returned. Senator Fowler, the amendment.

SENATOR FOWLER: I move that the amendment to the A bill be adopted.

SENATOR CLARK: The question is the adoption of the amendment. All those in favor vote aye. All those opposed vote nay. Have you all voted? Record the vote.

CLERK: 26 ayes, 2 nays, Mr. President, on adoption of the Fowler amendment.

SENATOR CLARK: The amendment is adopted. The question now is the return of 234A to E & R. All those in favor say aye,

May 11, 1981

LB 234A, 204

opposed. The bill is returned. Senator Carsten, for what purpose do you arise?

SENATOR CARSTEN: Mr. President, members of the Legislature, do I understand now we are going to 204? Is that correct?

SENATOR CLARK: Right.

SENATOR CARSTEN: Well, Mr. President and members, I suggest to you that we amend the Speaker's recommendation earlier this morning, that we recess and the Clerk would continue to read LB 204 on Final Reading. I suggest to you that that is not proper and that we should not recess if we are going to continue to read LB 204. In the past we have read through the noon hour or through a time frame, have gone and eaten lunch and then returned and had a final vote after it was completed on these long bills. I would suggest, Mr. President, that we alter that recommendation of the Speaker and that we not recess, that the Clerk does read the bill and that we do keep some people on this floor during the reading of LB 204 on Final. We can stagger our absence so that we do have people here and that we will be under a lawful, correct procedure as opposed to being challengeable. I would make that suggestion, Mr. Chairman.

SENATOR CLARK: I will see if the Speaker wants to change his own agenda. Senator Marvel.

SENATOR MARVEL: I agree with Senator Carsten and I suggest that we take his advice and proceed.

SENATOR CLARK: Is there any objection? If not, so ordered. The Clerk will read 204. Senator Carsten.

SENATOR CARSTEN: Mr. President, one other suggestion that I might make, that we project that by somewhere in the area of one-thirty the Clerk will be through with the bill and that we target our return for the vote at somewhere around one-thirty.

SENATOR CLARK: That suggestion will be followed. The Clerk will read 204. Senator Marvel.

ASSISTANT CLERK: (Read LB 204 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. All those opposed no. Voting aye.

CLERK: Senator Clark voting aye.

LB 118, 129A, 165, 181, 224, 234, 234A,
273, 273A, 303, 326, 336, 360, 394,
396, 411, 459A, 485, 551 - 554

May 12, 1981

favor vote aye. All those opposed vote nay.

CLERK: Senator Clark voting aye.

SENATOR CLARK: Have you all voted on the adoption of the committee amendments? Once more, have you all voted on the adoption of the committee amendments. Record the vote.

CLERK: 27 ayes, 4 nays, Mr. President, on adoption of the committee amendments.

SENATOR CLARK: The committee amendments are adopted. Now on the bill itself, Senator Maresh.

SENATOR MARESH: Mr. Chairman, I move that LB 118 be advanced to E & R Initial.

SENATOR CLARK: Is there any discussion on the advancement of the bill? If not, all those in favor vote aye. All those opposed vote nay.

CLERK: Senator Clark voting aye.

SENATOR CLARK: Record the vote.

CLERK: 25 ayes, 1 nay, Mr. President, on advancement of the bill.

SENATOR CLARK: The bill is advanced. The Clerk wants to read some things in.

CLERK: Mr. President, new A bill, 129A offered by Senator Nichol. (Read LB 129A for the first time.)

Mr. President, Miscellaneous Subjects gives notice of hearing for Tuesday, May 19 on LB 551, 552, 553 and 554. And that is signed by Senator Hefner as Chair.

Mr. President, I have a reference report from the Executive Board referring legislative resolutions for interim study. That will be referred to in the Journal. (See pages 1966 through 1973 of the Journal.)

Mr. President, your committee on Enrollment and Review respectfully reports that they have carefully examined and engrossed LB 165 and find the same correctly engrossed; 181, 224, 234, 234A, 273, 273A, 303, 326, 336, 360, 394, 396, 411, 459A, 485, all those reported correctly engrossed, Mr. President. (See pages 1974 through 1977 of the Legislative Journal.)

May 27, 1981

LB 39. 39A, 234A

SENATOR WARNER: Mr. President, I will withdraw the motion. I helped vote to make the mistake on the first one, I did not make a mistake on the second one, but I think that without question there is no tax relief out of what we have done so I will just acknowledge my mistake and let it go at that.

PRESIDENT: Okay. Mr. Clerk, we are ready then for...yes, and I have now for the record, I have signed a certificate showing that LB 39 has been, having been returned by the Governor, after a reconsideration having been passed by the Legislature by a constitutional majority and has become law this 27th day of May, 1981, and the same for LB 39A, having passed the Legislature by a constitutional majority and been returned by the Governor has become law this 27th day of May, 1981, and I have so certified on both 39 and 39A.

CLERK: Mr. President, I have a new resolution to read in if I may.

PRESIDENT: All right, go ahead and read it in.

CLERK: (Read LB 190 by title. See page 2321 of the Legislative Journal.) That will be laid over pursuant to our rules, Mr. President.

PRESIDENT: All right, read the motion.

CLERK: Mr. President, the first motion I have is on 234A. It is offered by Senator DeCamp. Senator DeCamp would move to return the bill for a specific amendment. (Read DeCamp amendment as found on page 2321 of the Journal.)

PRESIDENT: The Chair recognizes Senator DeCamp.

SENATOR DeCAMP: Mr. President, when we took the money, the extra ten dollar Workmen's comp increase out of 234 we have to correct the A bill. This corrects the A bill. This saves money.

PRESIDENT: Okay, Senator Newell, did you have a question or is your light just on? You are just testing again for the afternoon, all right. Okay, any further discussion? The question is the adoption of the DeCamp amendment to LB 234A. All those in favor vote aye, opposed nay. This is for the return of LB 234A. Motion is to return. Record the vote.

CLERK: 26 ayes, 1 nay on the motion to return the bill, Mr. President.

PRESIDENT: The motion carries. LB 234A is returned. We are ready for the DeCamp motion. Senator DeCamp.

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LB 234A

SENATOR DeCAMP: I move we advance.

PRESIDENT: The motion is to adopt the DeCamp amendment to LB 234A. Any discussion? Hearing none, the question then is, shall the DeCamp amendment be adopted. All those in favor vote aye, opposed nay. Record the vote.

CLERK: 26 ayes, 1 nay, Mr. President.

PRESIDENT: The motion carries. The DeCamp amendment is adopted. Senator DeCamp, do you want to send it back?

SENATOR DeCAMP: Yes.

PRESIDENT: The motion to return LB 234A to E & R for engrossment. Any discussion? All those in favor signify by saying aye, opposed nay. LB 234A is returned to E & R for engrossment. The next bill is LB 523, Mr. Clerk. Pass over that, nothing on it. Oh, all right, the Chair recognizes Senator Newell.

SENATOR NEWELL: Mr. President, yesterday I pulled that amendment off and it is still on the sheet. After the Public Service Commission thing didn't go I felt there was no need to be doing those kinds of amendments so I did withdraw it from consideration of this body.

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LB 285, 531, 544
LB 389, 389A, 234A

SENATOR CLARK: The bill is declared passed without the emergency clause attached. The Clerk will now read LB 389.

ASSISTANT CLERK: (Read LB 389 on Final Reading.)

SENATOR CLARK: All provisions of law having been complied with, the question is, shall LB 389 pass. All those in favor vote aye. All those opposed vote nay.

CLERK: Senator Clark voting no.

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

CLERK: (Read record vote as found on pages 2348-2349 of the Legislative Journal.) 34 ayes, 9 nays, 5 excused and not voting and 1 present and not voting, Mr. President.

SENATOR CLARK: The bill is declared passed on Final Reading. The Clerk will now read LB 389A.

CLERK: (Read LB 389A 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 vote nay.

CLERK: Senator Clark voting no.

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

CLERK: (Read record vote as found on page 2349 of the Legislative Journal.) 31 ayes, 11 nays, 5 excused and not voting, 2 present and not voting, Mr. President.

SENATOR CLARK: The bill is declared passed. Do you have anything to read in?

CLERK: Yes, sir, I do.

SENATOR CLARK: All right, go right ahead.

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports that they have carefully examined and engrossed LB 285 and find the same correctly engrossed; 544 correctly engrossed; 234A correctly engrossed and 531 correctly engrossed. Those are all signed by Senator Kilgarrin as Chair.

SENATOR CLARK: How many more do you have to come up yet, Pat? What? We are waiting for seven more bills. Senator Marvel, I imagine we had better stand at ease until they come up. This might be a good time to discuss a lot of

May 29, 1981

LB 172, 218, 234, 234A, 285

CLERK: (Read record vote as found on page 2392 of the Legislative Journal.) 47 ayes, 0 nays, 2 present and not voting, Mr. President.

PRESIDENT: LB 172 passes. The next bill on Final Reading, Mr. Clerk, is LB 218.

CLERK: (Read LB 218 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 218 pass. All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Read record vote as found on pages 2392-2393 of the Legislative Journal.) 48 ayes, 0 nays, 1 present and not voting, Mr. President.

PRESIDENT: LB 218 passes. The next bill on Final Reading is LB 234, Mr. Clerk.

CLERK: (Read LB 234 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 234 pass. All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Read record vote as found on page 2392 of the Legislative Journal.) 49 ayes, 0 nays, Mr. President, on adoption of LB 234.

PRESIDENT: LB 234 passes. The next bill on Final Reading, Mr. Clerk, is LB 234A.

CLERK: (Read LB 234A on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 234A pass. All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Read record vote as found on page 2394 of the Legislative Journal.) 47 ayes, 0 nays, 2 present and not voting, Mr. President.

PRESIDENT: LB 234A passes. The next bill on Final Reading, skipping over then, 242, is LB 285.

ASSISTANT CLERK: (Read LB 285 on Final Reading.)

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want to take one more bill then? Okay, fine. Have you all voted? Record the vote.

CLERK: (Read record vote as found on pages 2406-2407 of the Legislative Journal.) 37 ayes, 8 nays, 2 excused and not voting, 2 present and not voting, Mr. President.

PRESIDENT: LB 352 passes with the emergency clause attached. The next bill on Final Reading before the break for lunch is LB 385.

ASSISTANT CLERK: (Read LB 385 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 385 pass. All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Read record vote as found on pages 2407-2408 of the Legislative Journal.) 29 ayes, 14 nays, 2 excused and not voting, Mr. President, 4 present and not voting.

PRESIDENT: LB 385 passes. If you would read some matters in and then we will get ready for recess.

CLERK: Mr. President, a letter from the Governor addressed to the Clerk. (Read. Re. LB 406, 548, 389 as found on page 2409 of the Legislative Journal.)

Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined LB 321 and find the same correctly enrolled.

Mr. President, I have a veto message from the Governor addressed to Dear Mr. President and Senators. (Read. Re. 129A. See page 2408 of the Legislative Journal.)

Mr. President, finally LB 95, 95A, 172, 218, 234, 234A, 235, 302, 389A, 318, 344 and 352 are ready for your signature.

PRESIDENT: While the Legislature is in session and capable of transacting business I propose to sign and I do sign LB 95, LB 95A, LB 172, LB 218, LB 234, LB 234A, LB 285, LB 302, LB 318, LB 344 and LB 352. Well, let's let somebody... Senator Marsh, do you wish to recess us until one-thirty.

SENATOR MARCH: I move we recess until one-thirty.

PRESIDENT: The motion is to recess until one-thirty. Any... All those in favor to recess until one-thirty signify by saying aye, opposed nay. We are recessed until one-thirty.