

escorted by Senator Wagner and Senator Labeledz will also be a member of that escort team. The item number four, Mr. Monen from Omaha, Senator Stoney. Senator Stoney, will you escort Mr. Monen for the inaugural ceremonies and yours is in item number four. Item number five, the Chief Justice will be escorted by Senator Fowler. We picked the people in the various districts for this. Justice Boslaugh comes from that infamous city, Hastings, and he will be escorted by me. Senator (sic) McCowan comes from Beatrice and he will be escorted by Senator Burrows. Justice Clinton will be escorted by Senator Clark. Justice Brodkey will be escorted by Senator Fitzgerald. Justice White will be escorted by Senator Dworak and Justice Hastings will be escorted by Senator Marsh. Now, Mr. President, do we have others? Does that complete the list?

PRESIDENT: I think that completes the list. We were going to have Senators Vickers and Hefner accompany Senator Stoney on the escort committee on the Workmen's Compensation Judges.

SPEAKER MARVEL: Sorry.

PRESIDENT: I believe that completes it, Mr. Speaker.

SPEAKER MARVEL: Anybody have any questions?

PRESIDENT: Any questions? This will be at two o'clock and we will come back at one-thirty, a little prior thereto. Go ahead, Mr. Speaker.

SPEAKER MARVEL: Mr. President, it has been pointed out that Martin Kahle is also in the district represented by Senator Payne so why don't we add Martin Kahle's name. Any other comments or suggestions? Is that all right? Yes. Any others? Okay.

CLERK: We've got about a half a dozen bills, Senator. Mr. President, if I may?

PRESIDENT: Proceed, Mr. Clerk.

CLERK: Read LB 31-33 by title for the first time as found on pages 83-84 of the Legislative Journal.

PRESIDENT: The Chair would like to take this opportunity to introduce a guest, Mr. Bill Snell, the city manager of the City of Sidney. Would Bill come out here and be recognized? Senator Clark is sitting with him. Welcome to the Legislature, Bill. Go ahead, Mr. Clerk.

CLERK: Continued to read LB 34, 35 by title for the first time.

Mr. President, I have a lobby registration report for the interim period covered by April 19, 1980, through January 6, 1981. That will be inserted in the Legislative Journal. (See page 94 of the Journal.)

Mr. President, I have a reference report from the Executive Board referring legislative bills 1-36. That is signed by Senator Lamb as Chairman. (See pages 94-95 of the Legislative Journal.)

Mr. President, I have in my possession proposed lease renewals as supplied us by the State Building Division. Those will be on file in my office. I also have a report from the Nemaha Natural Resources Districts regarding payment of attorney fees. (See page 95 of the Journal.)

Mr. President, Senator Hefner would like to announce that Senator Barrett has been elected as vice chairman of the Miscellaneous Subjects Committee.

Mr. President, Senator Labedz would like to announce that Senator Pirsch has been elected vice chairman of the Constitutional Revision and Recreation Committee.

Mr. President, Senator Marvel would once again like to announce a meeting or a chairperson's caucus for Monday, January 12 at 9:00 a.m. in Room 1520. It is a chairperson's caucus for Monday, January 12 at 9:00 a.m. in Room 1520.

PRESIDENT: The Chair will recognize Speaker Marvel once more for additional announcement concerning procedure.

SPEAKER MARVEL: I think, Mr. President, the first thing we need to note is the fact that we are using valuable time that we may wish we had at the end of this session. I guess I am going to repeat this every day for a while and so would you please put on the Clerk's desk whatever legislation you have so that we can once again begin processing this legislation which means that the Exec Board needs to meet and refer the bills as soon as they have been processed by the Clerk and, therefore, I remind you first of all, get the bills in and, secondly, that the Exec Board then will have to meet to refer the bills. Now this process has to go on even if we may only meet until noon. Now, Mr. President, is that the... Pat, is there anything else to say about the reference of bills?

CLERK: No, sir, not that I am aware of. I think Senator Lamb might want to make a...

February 6, 1981

LB 31, 85, 170, 199

LB 199 are adopted. Senator Kilgarin.

SENATOR KILGARIN: I move LB 199 be advanced to E & R for Engrossment.

PRESIDENT: Motion to advance LB 199 to E & R for Engrossment. Any discussion? All those in favor signify by saying aye. Opposed nay. LB 199 is advanced to E & R for Engrossment. LB 170.

CLERK: There are E & R amendments, Senator.

PRESIDENT: The Chair recognizes Senator Kilgarin.

SENATOR KILGARIN: I move the E & R amendments to LB 170 be adopted.

PRESIDENT: Motion to adopt the E & R amendments to LB 170. Any discussion? If not, all those in favor signify by saying aye. Opposed nay. The E & R amendments on 170 are adopted. Senator Kilgarin.

SENATOR KILGARIN: I move LB 170 be advanced to E & R for Engrossment.

PRESIDENT: Motion to advance LB 170 to E & R for Engrossment. Any discussion? All those in favor signify by saying aye. Opposed nay. LB 170 is advanced to E & R for Engrossment.

CLERK: Yes, sir, I do. Mr. President.....

PRESIDENT: We will proceed then with General File, agenda item #6. Proceed with LB 167.

CLERK: Mr. President, Senator Hoagland...oh, I'm...may I read something.

PRESIDENT: Yes, you may read some matters into the record and then we will take up 167.

CLERK: Mr. President, Senator Hoagland would offer an explanation of vote. (See page 456 of the Legislative Journal.)

Mr. President, your Committee on Urban Affairs whose Chairman is Senator Landis to whom was referred LB 31 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendments, and LB 85 to General File with

February 10, 1981

LB 96, 31

CLERK: 39 ayes, 0 nays on the motion to advance the bill, Mr. President.

PRESIDENT: Motion carries. LB 96 is advanced to E & R Initial. We are ready for LB 120, Mr. Clerk.

CLERK: Mr. President, LB 120 was offered by Senator Bill Burrows.

PRESIDENT: We will pass over LB 120 and go to LB 31, Mr. Clerk.

CLERK: Mr. President, LB 31. (Title read.) The bill was read on January 8. It was referred to the Urban Affairs Committee. It was advanced to General File. There are committee amendments pending by the Urban Affairs Committee, Mr. President.

PRESIDENT: The Chair recognizes Senator Landis.

SENATOR LANDIS: Mr. Speaker, members of the Legislature, the committee amendments reinstates stricken language. Senator Vickers' bill attempted to replace in its original form the kind of notice that we have had in the past with a new notice. The kind of notice that we have had in the past is a publication notice and it seeks to attempt to replace that with a direct mail notice. However, the committee decided that they would add to the existing notice rather than replace the existing notice so the committee amendments reinstate stricken language and by doing so they retain the existing requirement of publication and then with the new language of Senator Vickers' LB 31 you will have added to that the notice requirement of a direct mail letter sent to those people affected by sewer, water and drainage services and the like that are created by city ordinances. I might indicate that the committee voted on a split decision, the chairman being in the minority, to add this amendment but it did pass the committee and I would move its adoption here on the floor.

PRESIDENT: The Chair recognizes Senator Vickers speaking to the committee amendment.

SENATOR VICKERS: Mr. President and members, as Senator Landis pointed out LB 31 was introduced by me in an attempt to make sure that those people that are affected by the formation of sewer, drainage and water districts are aware of the formation of those districts. Now understand that these people that are affected are the people that are paying for it and the only people that are paying for it. It is assessments on their property, therefore, it seemed to me that it was not necessary to include in the newspaper legal notice so that everybody in the city was aware of it if, in fact, those people that were directly affected and directly having to pay for it did get notice by means of first class mail. I believe that what the committee is attempting to do will be an additional cost to the city that is completely unnecessary but if you will notice the opposition to LB 31 you will probably understand why the committee adopted the amendment to reinsert the stricken language. The opposition representing the Newspaper Association told the committee that it really wouldn't

cost the city very much. These legal notices are minimal costs but it always surprises me as to how strong the newspaper will fight for such minimal costs. If the costs are so minimal why are they so indignant when somebody tries to eliminate one of the legal notices that hardly anybody ever reads anyway? I think the committee amendments are unnecessary. I realize I am fighting a losing battle because of the power of the press and the fear that many of us have of them but the fact is, these people are going to be notified. The people that are paying the bill are going to get a first class letter. There is no need, absolutely no need, that I can see to insist on having this published in the newspaper and I oppose the committee amendments.

PRESIDENT: The Chair recognizes Senator Vard Johnson.

SENATOR V. JOHNSON: Mr. Speaker, members of the body, I was just going to ask Senator Landis a question on this.

PRESIDENT: Senator Landis, will you respond?

SENATOR LANDIS: Certainly.

SENATOR V. JOHNSON: Senator Landis, as the committee chairman, I think you were probably honor bound and duty bound to at least advance on the floor the amendment, the committee amendment to LB 31 but you indicated that you had some misgivings about the amendment itself and, in fact, voted against the amendment. Could you explain to the body and to me what your misgivings were?

SENATOR LANDIS: Yes, Senator Johnson. I think the notice that Senator Vickers offers, the idea of a direct mailing to those citizens directly affected is not only probably the most cost efficient but also the best kind of notice that could be given. It is certainly superior to a published notice because I think it will be read and I think it will adequately serve the needs that exist for adequate notice prior to the creation of such a district. I do also indicate that I see little reason for a second kind of notice which will be costly which will require expenditures of tax dollars for a remote value. Perhaps you can recall two years ago, Senator Johnson, when we argued the legal notice requirements in probate proceedings. We have repeatedly come across the issue in the Government Committee of published notice and there seems to be a clear political current by the Press Association and others to defend any and every published legal notice regardless of its value. I think this is a notice of little value right now. It is being replaced by a superior notice that will

be far more effective in putting people on guard about potential governmental action and, in fact, what we have left over then is a tribute to publishers for their allowing us to move to this kind of second notice. It seems we can't replace one with the other. We have to add to the existing but ineffective notice with an effective notice. I personally am offended by that. I think we should have the best quality notice we can. That is contained in Senator Vickers' original bill. It is not what we have on the books and we should replace what is on the books with what Senator Vickers attempts to do in LB 31.

SENATOR V. JOHNSON: Thank you, Senator Landis. I appreciate Senator Landis' remarks. I am inclined to feel exactly the way Senator Landis and Senator Vickers feel and that simply is that we require our subdivisions and we also require private parties to publish far more notices in legal newspapers in this state than are necessary, that are necessary for alerting a public or affected parties to what is taking place. This bill, LB 31, represents a very simple change to provide better notice to the people who are to be affected by a governmental action than heretofore exists. Now it seems to me that for us to adopt a committee amendment to this bill to insure that we will still continue with a published notice continues in a very small way, there are not a lot of dollars involved, but a very small way to continue to require local subdivisions to make a needless expenditure of tax dollars. Now I frankly think that in this time of economy, every little bit helps and we ought to eliminate the published notice requirement and substitute therefore, the actual notice requirement of Senator Vickers' bill. It is for that reason that I would concur with Senator Landis and Senator Vickers and maybe some other members of the Urban Affairs Committee and urge the rejection of the committee amendment.

PRESIDENT: The Chair recognizes Senator Haberman.

SENATOR HABERMAN: Mr. President, fellow members of the Legislature, Senator Vickers made a remark that this is probably a losing cause due to the power of the press and the fear that we have of them. Well if this is true, I should have gray hair and should be shivering and shaking all the time as because last year I believe I have a record of seven editorials being written by the press that were not favorable toward this senator and, Senator Vickers, it sure the hell doesn't scare me, the power of the press. So let's don't use that as a crutch to try and pass this bill. We limit it to the cities of the first class. Nobody explained that. I think it would be setting a danger-

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LB 31

ous precedent of discontinuing the publishing of notices. What if somebody isn't home to receive their mail? It doesn't say registered mail. No, I voted for putting it back in and I will support Senator Vickers' bill with the amendment but I sure cannot support it without the amendment. Thank you.

PRESIDENT: The Chair recognizes Senator Cullan.

SENATOR CULLAN: Mr. President, members of the Legislature, I wonder if I might ask Senator Vickers a question, please.

SENATOR VICKERS: Yes, Senator Cullan.

SENATOR CULLAN: Senator Vickers, you say that notified persons would receive mail, would receive a notice through the mail. Could you tell me exactly who I guess an "affected" person would be and who would receive such notice?

SENATOR VICKERS: The persons affected are the owners of record title of the property that the ordinance specifies that these districts are going to be created in. They are the owners, the persons that will be getting the notice by mail.

SENATOR CULLAN: Would an individual who, let's say would a savings and loan association which holds a mortgage on this particular piece of property be notified under your bill?

SENATOR VICKERS: I believe not, Senator Cullan. I think it would be the owners of record title, now whoever held the title. If the savings and loans held the title, then they would get the notice.

SENATOR CULLAN: Would an individual who has a mechanic's lien on this particular piece of property receive a notice under your particular amendments of the way you would like the bill to be?

SENATOR VICKERS: I believe not. I think it would be the owner of record title, Sam.

SENATOR CULLAN: Okay, thank you very much, Senator Vickers. I appreciate the clarification. Mr. President, members of the Legislature, after I took a look at this bill, I called an attorney that I know in western Nebraska and I asked him about it and those are the questions that he asked me and those are the responses, the same responses Senator Vickers gave me is the response that I gave him, and I guess my point is that there are people who have an interest in property who are not necessarily...who do not necessarily own that property and there are people who may be concerned who may eventually own that property after foreclosure or something and may be just as concerned or more concerned about additional liabilities as far as that property is concerned and those of you who are familiar with property law know that commercial

savings and loans and other people do follow the records very carefully to ensure that their interests are protected and they do watch these kinds of records and maybe the general public does not read the legal notices but there are certainly some of the attorneys for savings and loans and other people do and I think it would just be a very serious mistake for us to take this publication notice out. Otherwise, I am sure that a lot of you who have houses have substantial mortgages on those houses and maybe the savings and loan has more of an interest in your house than you do. So I think this public notice is something that is important to the State of Nebraska, something that is important to mortgagors and creditors and I think it would certainly be unwise for us to do away with the public notice. All I can say is that I certainly will not and cannot support this bill if the Legislature rejects the committee amendments.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Senator Schmit, speaking to the committee amendments.

SENATOR SCHMIT: Mr. President, members of the Legislature, I rise in support of the committee amendments which require the publishing of the notice. I think that it is important that the notices do be published. Senator Cullan gave some reasons and I recognize that some people do not read those notices but usually those are the same people then who protest to a city council or the county board or someone else, some other entity as to their ignorance of what happened to them based upon something that was done within a certain subdivision of government. I think that it would be a serious mistake to go backward in the matter of the responsibility of public notice. I know that we have heard all the various stories of how it is business for the newspaper, et cetera, et cetera. I think it ought to be of interest for some of us that some newspapers won't even print those notices for the amount of the legal fee but there are many newspapers who do print it and I think they are printed as much as a public service as they do for any other purpose. I think it is important that we continue that and I would certainly be opposed to any effort to delete the requirement for the publishing of these notices.

SPEAKER MARVEL: Senator Remmers.

SENATOR REMMERS: Mr. Chairman, members of the Legislature, what I have to say really has been said by Senator Haberman, Senator Cullan and Senator Schmit but I do want to reiterate what they have said. I think it is important. I don't

believe that we are afraid of the newspaper but I think there is a principle involved, not only in this bill but it has come up in several other bills that we have discussed, the necessity and the cost of printing these notices. I believe there is a very important principle involved in this and I believe that we are maybe a little bit wrong when we criticize the newspapers because simply they want to make some money. I believe there is a principle involved that we should defend and I support the amendment.

SPEAKER MARVEL: Senator Maresh.

SENATOR MARESH: I call for the question.

SPEAKER MARVEL: The question has been called for. Do I see five hands? All those in favor of ceasing debate vote aye, opposed no. Record the vote.

ASSISTANT CLERK: 27 ayes, 0 nays to cease debate.

SPEAKER MARVEL: Debate is ceased. Senator Landis, do you want to close on the committee amendments?

SENATOR LANDIS: I think the issue is clearly before us and I will make no additional closing.

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

CLERK: 25 ayes, 7 nays on the motion to adopt committee amendments, Mr. President.

SPEAKER MARVEL: The motion is carried. The committee amendments are adopted. What is the next item?

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

SPEAKER MARVEL: Senator Vickers, do you want to explain your bill?

SENATOR VICKERS: Mr. President, members, I'm not sure the bill needs any more, further explaining after the discussion on the committee amendments. I would simply say that as LB 31 is now amended it sets up a procedure whereby people whose property is being affected by the formation by ordinance of a sewage, drainage or water district will be notified by first class mail by the city. The notification will carry a copy of this statute and a copy of the city ordinance. This statute

will explain to those owners the procedure to be followed if they don't agree with the formation of the district. It will also call for publication by legal notices in the newspapers in the area. It was simply my intention to make sure that people whose property in many cases are affected by tremendous large amounts of assessments on their property were aware of the creation of these ordinances and were aware of these assessments in time to protest if they so desired. You will also notice that the length of time given them to file written protest to the city council was extended by ten days, from twenty to thirty days in an attempt to be more reasonable to the people whose property was being affected.

SPEAKER MARVEL: The Chair recognizes Senator Beutler.

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, if I could just, Senator Vickers, get a quick statement of intent from you. I assume with regard to the mailing of the notice it is required that it be mailed to the last known address of the owners of the record title and that is intended to be owners of record title as of the date of the passage of the ordinance. Is that correct?

SENATOR VICKERS: Yes, Senator Beutler, that is correct.

SENATOR BEUTLER: Thank you.

SPEAKER MARVEL: The motion is to advance the bill. Is there any further discussion? All those in favor of that motion vote aye, opposed no. Record.

CLERK: 29 ayes, 2 nays on the motion to advance the bill, Mr. President.

SPEAKER MARVEL: The motion is carried. The bill is advanced. Are we ready for 214E now?

CLERK: Mr. President, if I may right before that, your committee on Ag and Environment whose chairman is Senator Schmit to whom is referred LB 9 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendments; LB 38 General File with amendments, (Signed) Senator Schmit, Chairman.

SPEAKER MARVEL: We will take up LB 214E.

SENATOR DeCAMP: Mr. President, members of the Legislature, the reason I held up on 214 was because I have always tried no matter what the bill is to make sure the Legislature

February 12, 1981

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Monsignor Charles J. Keenan of the Blessed Sacrament Parish, Lincoln, Nebraska.

MONSIGNOR KEENAN: Prayer offered.

SPEAKER MARVEL: Roll call. Will you please record your presence. Have you all recorded your presence? Record the vote.

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

SPEAKER MARVEL: Do you have some items to read into the record?

CLERK: Yes, sir, I do. Mr. President, your committee on Enrollment and Review respectfully reports that we have carefully examined and reviewed LB 336 and recommend that same be placed on Select File with amendments; 336A Select File; 33 Select File; 96 Select File; 31 Select File, 214 Select File, 120 Select File and 85 Select File with amendments, (Signed) Senator Kilgarin, Chair. (See pages 512-513 of the Legislative Journal.)

Mr. President, your committee on Banking, Commerce and Insurance whose chairman is Senator DeCamp to whom is referred LB 195 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendments; 272 General File with amendments; 273 General File with amendments and 355 General File with amendments, (Signed) Senator DeCamp, Chair. (See pages 512-514 of the Legislative Journal.)

Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined and engrossed LB 14 and find the same correctly engrossed; 18, 41, 51, 64, 65 and 121 all correctly engrossed.

And finally, Mr. President, I have a lobby registration report covering the week of February 6 through February 11, 1981. (See page 515 of the Journal.)

SPEAKER MARVEL: Okay, we will go to item #4, introduction of new bills.

CLERK: Mr. President, Senator Nichol moves to suspend Rule 5, Section 5 so as to permit the introduction of Request 889 by himself.

SPEAKER MARVEL: Senator Nichol.

February 17, 1981

LB 31, 33, 96, 214

PRESIDENT: Motion to advance LB 33 to E & R for Engrossment. Any discussion? All those in favor signify by saying aye. Opposed nay. Now that is better. LB 33 is advanced to E & R for Engrossment. LB 96.

CLERK: Nothing, Senator.

PRESIDENT: Senator Kilgarin.

SENATOR KILGARIN: I move LB 96 be advanced to E & R for Engrossment.

PRESIDENT: Motion to advance LB 96 to E & R for Engrossment. Any discussion? All those in favor signify by saying aye. Opposed nay. LB 96 is advanced to E & R for Engrossment. LB 31.

CLERK: Nothing, Senator.

PRESIDENT: Senator Kilgarin.

SENATOR KILGARIN: I move LB 31 be advanced to E & R for Engrossment.

PRESIDENT: Motion to advance LB 31 to E & R for Engrossment. Any discussion? All those in favor signify by saying aye. Opposed nay. LB 31 is advanced to E & R for Engrossment. LB 214.

SENATOR KILGARIN: There are amendments?

CLERK: There are E & R, Senator.

SENATOR KILGARIN: I move the E & R amendment to LB 214.

PRESIDENT: Motion to adopt the E & R amendment on LB 214. Any discussion? All those in favor signify by saying aye. Opposed nay. The E & R amendments are adopted on LB 214.

CLERK: Mr. President, Senator Johnson now moves to indefinitely postpone LB 214. Pursuant to our rules, that will lay the bill over.

PRESIDENT: Okay, that will be held over. That was just put on the desk?

CLERK: Yes, sir.

PRESIDENT: So that is held. LB 120.

February 18, 1981

LR 15
LB 31, 33, 85, 96, 120, 336,
336A

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by the Reverend Rex Bevins, St. Paul Methodist Church.

REVEREND REX BEVINS: Prayer offered.

PRESIDENT: Roll call.

CLERK: Mr. President, Senator Kremer would like to be excused until he arrives; Senator Sieck until he arrives. Mr. President, Senator Labedz and Senator Burrows until they arrive.

PRESIDENT: Senator Lowell Johnson, do you want to press your button showing you are here, please. Senator DeCamp, will you push your button so we can start out. Thank you. Record the presence, Mr. Clerk.

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

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

CLERK: I have no corrections, Mr. President.

PRESIDENT: All right, the Journal stands correct as published. Are there any other messages, reports or announcements?

CLERK: Mr. President, first of all Senator Maresh would like to have a meeting of the Business and Labor Committee now underneath the north balcony for just a few minutes. Senator Maresh would like to have a Business and Labor meeting underneath the north balcony now for just a few minutes.

Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 31 and find the same correctly engrossed; 33, 85, 96, 120, 336, 336A, all correctly engrossed.

Mr. President, LR 15 is ready for your signature.

PRESIDENT: While the Legislature is in session and capable of doing business I propose to sign and do sign LR 15.

CLERK: Mr. President, I have a report from the Accounting and Budgeting Office regarding session employees.

Mr. President, I have an Attorney General's Opinion

February 23, 1981

LB 31, 33, 85, 96

Will all legislators please return to your seats and we are ready to proceed with LB 31 on Final Reading but we have to have everybody in their seats first. All legislators must be in their seats before we can proceed with Final Reading. Would you please find your seats? The Clerk will read LB 31 on Final Reading.

CLERK: (Read LB 31 on Final Reading.)

SPEAKER MARVEL: All procedure having been complied with, the question is, shall the bill pass? Those in favor vote aye, opposed vote no. Record the vote.

CLERK: (Read record vote. See pages 621 and 622, Legislative Journal.) 46 ayes, 2 nays, 1 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. We will now proceed on Final Reading to LB 33.

CLERK: (Read LB 33 on Final Reading.)

SPEAKER MARVEL: All procedures relative to procedure 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.

CLERK: (Record vote read. See page 622, Legislative Journal.) 47 ayes, 0 nays, 2 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. The Clerk will now read on Final Reading LB 85.

CLERK: (Read LB 85 on Final Reading.)

SPEAKER MARVEL: All procedures relative to procedure having been complied with, the question is, shall the bill pass? Those in favor vote aye, opposed vote no. Have you all voted? Have you all voted? The Clerk will record.

CLERK: (Record vote read. See page 623, Legislative Journal.) 29 ayes, 19 nays, 1 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. The Clerk will now read on Final Reading LB 96.

CLERK: (Read LB 96 on Final Reading.)

SPEAKER MARVEL: All provisions of law relative to procedure having been complied with, the question is, shall the bill

February 23, 1981

LB 31, 33, 85, 96,
120, 178

Mr. President, your committee on Ag will have an Executive Session at 8:50 a.m., tomorrow morning underneath the North balcony. Your committee on Ag tomorrow morning at 8:50 a.m.

Mr. President, some 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 31, LB 33, LB 85, LB 96, LB 120. It is my privilege to present underneath the North balcony four guests of Senator Cope, Mr. and Mrs. Melvin Thiemann of Pawnee City; Mrs. Rollie Ayres, Wilma Klein and Mrs. Art Schrepel. Will you please stand so that you and we may wish Senator Cope "Happy Birthday". There is a notation here that underneath the South balcony there will be Cope cakes on the table. I am only reading what is written here. Senator Cope, "Happy Birthday" to you. Underneath the North balcony, it is my privilege to present the former Senator Arnold Ruhnke and Mrs. Ruhnke. Where are you folks? We now proceed to item #6, Select File, LB 178. Mr. Clerk.

CLERK: Mr. President, LB 178 was considered by the body on February 17. At that time the E & R amendments were adopted. There was an amendment by Senator Beutler that was adopted. Pursuant or subsequent to that, Senator Beutler made a motion to indefinitely postpone the bill. I understand, Mr. President, he wishes to temporarily withdraw that motion and offer instead amendments that I believe have been distributed or are being distributed right now, the amendments by Senator Beutler.

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, again LB 178 is the bill that was submitted by the Department of Revenue having to do with collection procedures. It was amended once on General File or Select File, and subsequent to that time the staff of the Revenue Committee got together with the Department of Revenue and also with representatives from commerce and industry and the banking association to take care of an additional series of technical problems and there were a couple of substantive changes but all the changes, as I understand it, had to do with making the provisions applicable to all different types of taxes, that is, making them uniform, making the notice provisions uniform, for example, and also to require the state prior to selling property at a sale to give notice to other lien holders that the property is about to get sold so that other lien holders would have knowledge of the sale and have an opportunity to protect their rights. There is some cleanup language and some inconsistencies cleared up and I think that is about the sum and substance of what is in the committee's. Basically these are Department of Revenue suggestions. Thank you.

February 24, 1981

LB 14, 24, 31, 33, 41,
45, 46, 64, 81, 82,
85, 96, 120, 121,
130, 14, 158, 213

SPEAKER MARVEL PRESIDING

REV. JOSEPH A. MROCZKOWSKI: Prayer offered.

SPEAKER MARVEL: Will you please record your presence?
Record.

CLERK: Quorum present, Mr. President.

SPEAKER MARVEL: Underneath the North balcony, it is my privilege to present visitors to Nebraska sponsored by Partners of the Americas and the sponsors are Mrs. Ben Schulze and Gilbert Erickson and the visitors are coordinated with Dr. Fortes and his wife Maranna and the technical title is the Coordinator of Congressional Affairs for the Ministry of Education and Cultural Affairs from Brazil. Would you folks please stand so we can welcome you to the Unicameral. Okay, there is some items on the Clerk's desk and we will start with those.

CLERK: Mr. President, a communication from the Governor addressed to the Clerk regarding signing of LBs 14, 18, 41, 45, 46, 64, 81, 82, 121, 130 and 140. (See page 639 of the Legislative Journal.)

Your Enrolling Clerk respectfully reports that she has on February 23 at 2:37 p.m. presented to the Governor the following bills: 31, 33, 85, 96 and 120.

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

Your committee on Appropriations whose chairman is Senator Warner to whom is referred LB 158 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendment, (Signed) Senator Warner, Chair.

Mr. President, I have a report from the State Employment and Training Council. It will be on file in my office.

Mr. President, Senator Cullan asks unanimous consent to add his name to LB 213 as coinstructor.

SPEAKER MARVEL: Do you have any other items?

CLERK: No, sir.

SPEAKER MARVEL: Okay, item #4, resolutions.

March 2, 1981

LB 31, 33, 85, 96,
120, 434, 547.

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: (Microphone not on.)

DR. ROBERT PALMER: Prayer offered.

PRESIDENT: Roll call. Senator Cope, will you push your button. Thank you. Now we're....record the presence, Mr. Clerk.

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 stands correct as published. Any other messages, reports or announcements?

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 434 and recommend that same be placed on Select File. (Signed) Senator Kilgarin, Chair.

Mr. President, communication from the Governor addressed to the Clerk. Engrossed LB 31, 33, 85, 96 and 120 were signed by me on February 27 and delivered to the Secretary of State. Sincerely, Charles Thone, Governor.

Mr. President, I have an Attorney General's Opinion addressed to Senator Vard Johnson. (See pages 701 and 702 of the Legislative Journal.)

PRESIDENT: We are waiting for someone from the Agriculture Committee, Senator Schmit or someone to take care of Agenda Item #3, Motions, motion to introduce a new bill. The Legislature will be at Ease until Senator Schmit gets here to handle the first item on the agenda.

EASE

PRESIDENT: The Chair recognizes Senator Schmit for purpose of introduction of a new bill.

SENATOR SCHMIT: Mr. President and members of the Legislature, I ask the body to consider the introduction of this bill by the Committee on Agriculture and Environment. The bill was introduced last session. It was heard. It was, I believe, four bills down on the worksheet for about