

RECESS

PRESIDENT: The Legislature will come to order and register your presence.

CLERK: Mr. President, Senator Higgins and Beutler would like to be excused this afternoon.

PRESIDENT: Record the presence, Mr. Clerk.

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

PRESIDENT: Quorum being present, do you have any messages on the desk, anything to read into the record?

CLERK: Yes, sir, I do. Senator Maresh would like to announce that Senator Fitzgerald has been elected as vice chairman of the Business and Labor Committee. Senator Marvel would like to announce a chairperson's caucus for Monday, January 13, 1981, at 9:00 a.m. in Room 1520. It is a chairperson's caucus at 9:00 a.m., Room 1520, Monday morning.

Mr. President, Senators VonMinden, Senator Hoagland would like to be excused all day tomorrow.

PRESIDENT: We are ready for the introduction of new bills, Mr. Clerk, proceed.

CLERK: Mr. President, new bills: Read LB 37-48 by title for the first time. (See pages 85-88 of the Legislative Journal.)

Mr. President, Senator Hefner would like to have the Miscellaneous Subjects Committee meet upon adjournment this afternoon underneath the South balcony. That is the Miscellaneous Subjects Committee upon adjournment underneath the South balcony.

Mr. President, I have the communication from the Secretary of State addressed to the Speaker and members of the Legislature regarding the bonds and oaths for the following elected officials: Public Service Commissioner, Eric Rasmussen; Jack Romans; Treasurer of Workmen's Compensation Court, James Monen; Regents: Robert Simmons and John Payne; State Board of Education, Frank Landis, James Monahan, Walter Thompson, Helen Greene; and for Judge of the Nebraska Supreme Court, Lawrence Clinton, Hale McCown and C. Thomas White. That will be inserted in the Legislative Journal. (See pages 88-90.)

January 30, 1981

LR 11
LB 30, 37, 39, 69, 140,
207, 312, 363.

your vote for the resolution.

PRESIDENT: Is there any discussion on the Wesely resolution which is LR 11? Seeing none, Senator Wesely, I guess that will be your opening and your closing. The question before the House is the adoption of LR 11. All those in favor vote aye, opposed nay. Record the vote.

CLERK: 31 ayes, 0 nays on adoption of the resolution, Mr. President.

PRESIDENT: The motion carries. The resolution LR 11 is adopted. Mr. Clerk, are there any matters to be read in?

CLERK: Yes, sir, there are. Mr. President, I have a Reference Committee report referring LBs 533, 534 and 535. The Committee on Ag and Environment gives notice of hearing in Room 1520 for March 5 and March 6. The Committee on Public Health and Welfare gives notice for a hearing on February 9, 10 and 17. Your Committee on Public Health and Welfare whose Chairman is Senator Cullan to whom was referred LB 39 instructs me to report the same back to the Legislature with the recommendation it be advanced to General file with amendments; LB 69 to General File with amendments. (See pages 378 and 379 of the Legislative Journal.)

Mr. President, your Committee on Revenue whose Chairman is Senator Carsten to whom was referred LB 140 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File.

Mr. President, I have a motion from Senator Chambers to re-refer LB 363 from Education to the Government Committee. Senator Stoney asks unanimous consent to...or he makes a motion to withdraw LB 312. Pursuant to our rules that will be laid over, Mr. President. Senator Stoney also asks unanimous consent to have his name added to LB 37 as co-introducer.

PRESIDENT: No objections, so ordered.

CLERK: Mr. President, Senator Koch would like to print amendments to LB 207 in the Legislative Journal. (See pages 380 and 381 of the Legislative Journal.) Your Committee on Urban Affairs whose Chairman is Senator Landis to whom was referred LB 37 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendments, and LB 30 General File with amendments. (Signed) Senator Landis (See pages 380 and 381 of the Legislative Journal.)

date limitation due to the impact of inflation and with that I would be glad to answer any questions. I don't believe there are any dissenting votes in the Revenue Committee. It is not just a good bill but a fairly routine bill and I would move that it be advanced.

SPEAKER MARVEL: The motion is the advancement of the bill. All those in favor of that motion vote aye, opposed vote no. Have you all voted? Record the vote.

CLERK: 33 ayes, 0 nays on the motion to advance the bill, Mr. President.

SPEAKER MARVEL: The motion is carried. The bill is advanced. The next bill is LB 37.

CLERK: Mr. President, LB 37 is offered by Senators Newell, Wiitala and Stoney. (Read title.) The bill was first read on January 8 of this year. It was referred to the Urban Affairs Committee for public hearing. The bill was advanced to General File, Mr. President. I do have committee amendments pending by the Urban Affairs Committee.

SPEAKER MARVEL: Is there someone here from Urban Affairs that can take the committee amendments?

CLERK: Senator, it will be in your bill book but it will also be on page 381, Senator, in your Journal but also in your bill book. Would you like me to read them? They are rather short? Okay. Mr. President, the committee amendments are: (Read committee amendments to LB 37 as found on page 381 of the Legislative Journal.)

SPEAKER MARVEL: Senator Haberman.

SENATOR HABERMAN: Mr. President and members of the Unicameral, it put back into the bill the election procedures that were stricken from the bill. It put back into the bill that more than 50% of the houses in any Sanitary Improvement District and their owners shall be considered legal residents within such districts for purpose of electing trustees. It does not do any damage to the bill. It helps the bill and that is the original language.

SPEAKER MARVEL: Okay, the motion is the adoption of the amendments. All those in favor of the adoption of the amendments vote aye, opposed vote no, the amendments to LB 37. Record.

CLERK: 29 ayes, 0 nays on adoption of the committee amendments, Mr. President.

SPEAKER MARVEL: The motion is carried and the amendment is adopted. The cookies underneath the balcony are brought here by the Nebraska Federation of Women's Clubs in the state. Senator Newell.

SENATOR NEWELL: Mr. President, members of the body, LB 37 as amended, the amendments basically just clarify, put back the old language. There was an attempt by myself as the introducer to, as one of the cointroducers to try to clarify the language and in so doing we made it less clarifying so the committee amendments go back to the old language and what we are doing here is very simply just authorizing that the votes, when one votes for the homeowner directors after a period of time who was supposed to be serving on the board, those people can only vote one vote per resident as opposed to one vote per lot and that just clarifies the language. There was some problems. This is the intent of the legislation originally. When Senator Cavanaugh, then Senator Cavanaugh, introduced the bill, it goes back to the original intent to make it a partial control by residents. This bill was not controversial. It was not opposed by the homebuilders who usually oppose anything that would change SIDs. It is just a clarification so with that, I urge the movement of the bill.

SPEAKER MARVEL: The motion is the advancement of LB 37 as amended. All those in favor vote aye, opposed vote no. Record.

CLERK: 31 ayes, no nays, Mr. President, on advancement of the bill.

SPEAKER MARVEL: The motion is carried. The bill is advanced. The next motion, LB 30.

CLERK: Mr. President, LB 30 was offered by Senator Jerry Koch. (Read title.) The bill was first read on January 8. It was referred to the Urban Affairs Committee. The bill was advanced to General File. I again have committee amendments pending by the Urban Affairs Committee, Mr. President.

SPEAKER MARVEL: Senator Haberman, do you want to take up the committee amendments to LB 30? Senator Landis, do you want to take the amendments? We are on LB 30 and we need an adoption of the committee amendments.

SENATOR LANDIS: Mr. Speaker, members of the Legislature, this bill comes to us from the Omaha area with an SID that has had serious problems with obtaining the consent of the Omaha City Council and Mayor for the construction of a community center and the language of the bill intends to

February 9, 1981

LB 15, 16, 20, 27, 30, 37,
45, 82, 93, 108, 130,
140, 165, 165A, 178, 185,
187, 238, 244, 260

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: The opening prayer will be given by Pastor Loren Mullins of the Warren United Methodist Church of Lincoln.

LOREN MULLINS: Prayer offered.

SPEAKER MARVEL: Roll call. Please record your presence. Will you please record your presence.

CLERK: Mr. President, Senators Vard Johnson, Carsten, Cullan and Dworak would like to be excused.

SPEAKER MARVEL: Okay, record. The machine is acting up and somebody will be here to fix it fairly soon. Meanwhile we will call the roll verbally. The Clerk will call the roll.

CLERK: Called the roll. We do have a quorum, Mr. President.

SPEAKER MARVEL: Okay, the Clerk has some items to read into the Journal.

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 20 and recommend that same be placed on Select File; LB 165A Select File; LB 178 Select File with amendments; LB 140 Select File; LB 37 Select File; LB 30 Select File; LB 130 Select File; LB 27 Select File; LB 82 Select File and LB 45 Select File, all signed by Senator Kilgarin, Chairperson.

Mr. President, your committee on Public Health and Welfare whose chairman is Senator Cullan to whom was referred LB 260 instructs me to report the same back to the Legislature with the recommendation if be advanced to General with amendments; LB 93 indefinitely postponed and LB 108 indefinitely postponed.

SPEAKER MARVEL: The Legislature will be at ease for the next ten minutes.

EASE

SPEAKER MARVEL: The Legislature will come to order.

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined LB 15 and find the same correctly engrossed, 16 correctly engrossed, 165 correctly engrossed, 185 correctly engrossed, 187 correctly engrossed, 238 correctly engrossed, 244 correctly engrossed,

February 10, 1981

LB 165A, 140, 37, 30, 130

proceed then with, Senator Nichol, LB 165A.

SENATOR NICHOL: Mr. President, I move LB 165A be advanced to E & R engrossing.

PRESIDENT: Motion to advance LB 165A to E & R for engrossment. Any discussion? Senator Johnson, did you want to discuss 165A?

SENATOR V. JOHNSON: I don't know why I do if nobody else does. Just move right along.

PRESIDENT: Okay. No one else does, so the motion before the House is the advance of LB 165A to E & R for engrossment. All those in favor signify by saying aye, opposed nay. 165A is advanced to E & R for engrossment. We will pass over LB 178 since we have been advised there are some amendments being prepared, it will be on the floor, so with the Speaker's permission, we will pass over 178 and go to LB 140, Senator Nichol.

SENATOR NICHOL: Mr. President, I move LB 140 be advanced to E & R engrossing.

PRESIDENT: Motion to advance LB 140 to E & R for engrossment. Any discussion? All those in favor signify by saying aye, opposed nay. LB 140 is advanced to E & R for engrossment. LB 37.

SENATOR NICHOL: Mr. President, I move LB 37 be advanced to E & R for engrossment.

PRESIDENT: Motion to advance LB 37 to E & R for engrossment. Any discussion? All those in favor signify by saying aye, opposed nay. LB 37 is advanced to E & R for engrossment. The next bill is LB 30.

SENATOR NICHOL: Mr. President, I move LB 30 be advanced to E & R for engrossment.

PRESIDENT: Motion to advance LB 30 to E & R for engrossment. Any discussion? All those in favor signify by saying aye, opposed nay. LB 30 is advanced to E & R for engrossment. LB 130, Senator Nichol.

SENATOR NICHOL: Mr. President, I move LB 130 be advanced to E & R for engrossment.

PRESIDENT: Motion to advance LB 130 to E & R for engrossment.

February 11, 1981

LB 20, 27, 29, 30, 37, 45,
82, 125, 130, 140, 150, 165A,
167.

RECESS

SPEAKER MARVEL: Come back to order, please. The Clerk has a couple of items to read in and then we will proceed back with the business as we had it prior to this recess.

CLERK: Mr. President your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 165 and find the same correctly engrossed....165A, excuse me; 20 correctly engrossed; 27 correctly engrossed; 29 correctly engrossed; 30 correctly engrossed; 37 correctly engrossed; 45 correctly engrossed; 82 correctly engrossed; 130 correctly; 140 correctly engrossed. (Signed) Senator Kilgarin, Chair.

Mr. President, your committee on Judiciary whose Chairman is Senator Nichol to whom was referred LB 345 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendments. (Signed) Senator Nichol. (See page 498 of the Legislative Journal.)

Your committee on Banking instructs me to report 125 back to the Legislature with the recommendation it be advanced to General File with amendments; LB 150 to General File with amendments. (Signed) Senator DeCamp, Chair. (See page 499 of the Legislative Journal.)

Mr. President, your committee on Revenue gives notice of exec session. (See page 499 of the Journal.)

SPEAKER MARVEL: The Chair recognizes Senator DeCamp.

SENATOR DeCAMP: Mr. President, I ask unanimous consent to withdraw my motion to bracket.

SPEAKER MARVEL: Any objections? If not, so ordered. Senator Warner.

SENATOR WARNER: Mr. President, I ask unanimous consent to withdraw the kill motion at this point.

SPEAKER MARVEL: Any objections? So ordered. Now is there.....Senator Wesely. The Chair will move that the bill be passed over which will be either tomorrow or the first of the week. Does anybody object? Okay, if not, the bill is passed over. Underneath the south balcony a guest of Senator Marsh from Thailand. His first name is Sam. Do you want to raise your hand so we can wish you Good Morning? Underneath the south balcony.

February 19, 1981

LB 30, 34, 37, 43

CLERK: (Record vote read. See page 585, Legislative Journal.) 34 ayes, 8 nays, 3 excused and not voting, 4 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed with the emergency clause attached. The Clerk will now read on Final Reading LB 37.

ASSISTANT CLERK: LB 37 (Read on Final Reading).

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

ASSISTANT CLERK: (Record vote read. See pages 584 and 585, Legislative Journal.) The vote is 43 ayes, 0 nays, 3 excused and not voting, 3 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. Now we are going to run over the noon hour just slightly so bear with us. The Clerk will read, and this is the final bill this morning on Final Reading, the Clerk will read LB 43 on Final Reading.

ASSISTANT CLERK: LB 43 (Read on Final Reading).

SPEAKER MARVEL: All provisions of law according 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 pages 585 and 586, Legislative Journal.) 41 ayes, 3 nays, 3 excused and not voting, and 2 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. A couple of announcements before we adjourn. There will be a Chairmen's meeting in Room 2102 tomorrow at 8:15 a.m. All chairmen are encouraged to be present. From Senator Hoagland's District, David Wilken is a member of the Board of Education of the Omaha Public School System. Mr. Wilken, where are you? Good morning. Senator Haberman, would you like to...I am sorry. The Clerk has got an item on the desk and then we need to adjourn.

CLERK: Mr. President, Senator Wesely would like to print amendments to LB 34.

Mr. President, you committee on Revenue whose Chairman is

February 20, 1981

LR 17, 18
LB 9, 20, 21, 27-30, 37, 156,
38, 42, 43, 67, 77, 124,
186, 206, 206A, 244, 345, 354

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by Father Dale Harges, Sacred Heart Catholic Church here in Lincoln.

FATHER DALE HARGES: (Prayer offered).

PRESIDENT: Roll call. 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, the Journal is without error this morning.

PRESIDENT: Ah, that is good news. The Journal stands correct as published. We go on to any messages, reports or announcements?

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports it carefully examined and reviewed LB 21 and recommend that same be placed on Select File with amendments; 186 Select File with amendments; 124 Select File; 206 Select File; 206A Select File; 67 Select File; 77 Select File with amendments; 9 Select File with amendments; 38 Select File with amendments; and 345 Select File. Those are signed by Senator Kilgarrin as Chair.

Mr. President, I have an Attorney General's opinion addressed to Senator Haberman regarding delegation of legislative authority; and one addressed to Senator Beyer regarding LB 354.

Mr. President, I have a report from the Department of Administrative Services, State Building Division regarding the Request for Program Statement/Preliminary Plan Approval. It will be on file in my office.

Mr. President, a communication from the Governor. (Read: Re 244. See page 593, Legislative Journal.)

Mr. President, LBs 28, 42, 156, 20, 27, 29, 30, 37, 43, LR 17 and 18 are ready for your signature.

PRESIDENT: While the Legislature is in session and capable of doing business I propose to sign and I do sign LB 28, LB 42, LB 156, LB 20, LB 29, LB 30, LB 37, LB 43, LR 18 and LR 17. We are ready then for agenda item #4, Final Reading. The Sergeant at Arms will make sure that all unauthorized personnel

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