

January 20, 1981

LR 6, 7
LB 490 - 529, 144, 182

SENATOR BURROWS: I move the adoption of the resolution as amended.

SPEAKER MARVEL: Any further discussion on that motion? All those in favor of that motion vote aye, opposed vote no. Have you all voted? Record the vote.

CLERK: 42 ayes, 1 nay on adoption of the resolution, Mr. President.

SPEAKER MARVEL: The motion is carried and the amendment is adopted. Members of the Legislature, it is my privilege to introduce to you a young lady who with her staff has put out at least 869 separate bills and I would like to have her stand, and if it is your will to acknowledge the work that is done. The Clerk will read.

CLERK: Mr. President, new bills: (Read title to LB 490 through LB 517, pages 305 - 311, Legislative, Journal.)

Mr. President, while we are waiting, new resolution, LR 7: (Read. See pages 212 and 213, Legislative Journal.) That will be laid over.

Mr. President, hearing notice is provided by the Business and Labor Committee for February 4.

Mr. President, Senator Labedz offers explanation of vote.

Mr. President, new bills: (Read title to LB 518 through LB 526, pages 314 - 316, Legislative Journal.)

Mr. President, Senator Burrows would like unanimous consent to have his name added to LB 144 as coinroducer.

SPEAKER MARVEL: Hearing no objection, so ordered. One last call, does anybody have any legislation that is buried someplace that you would like to dig up? Now is your chance. Last call for any legislation.

CLERK: Mr. President. (Read title to LB 527 and 528, pages 316 and 317, Legislative Journal.)

Mr. President, Senator Kremer would like to ask unanimous consent to have his name added to LB 182 as coinroducer.

SPEAKER MARVEL: Hearing no objection, so ordered.

CLERK: Mr. President: (Read title to LB 529, page 317, Legislative Journal.)

March 19, 1981

LR 26, 28, 30 - 32, 35 - 39
LB 116, 230, 245, 245A, 248, 351,
367, 381, 424, 463, 484, 511

PRESIDENT LUETDKKE PRESIDING

PRESIDENT: Prayer by Dr. Randall Sailors, First United Methodist Church, Waverly, Nebraska.

DR. RANDALL SAILORS: (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: There are no corrections to the Journal, Mr. President.

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

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 245 and recommend that same be placed on Select File with amendments; 245A Select File; 351 Select File with amendments. Signed Senator Kilgarin as Chair.

Mr. President, your committee on Nebraska Retirement Systems whose Chairman is Senator Fowler reports 424 to General File; 248 to General File with amendments; 463 to General File with amendments; 367 Indefinitely postponed. All signed by Senator Fowler as Chair.

Mr. President, your committee on Appropriations whose Chairman is Senator Warner reports LB 381 to General File with amendments; 116 as indefinitely postponed; 484 as indefinitely postponed. All signed by Senator Warner as Chair.

Your committee on Public Works whose Chairman is Senator Kremer reports LB 230 to General File with amendments; and LB 511 to General File with amendments. Signed Senator Kremer as Chair.

I have an Attorney General's opinion addressed to Senator DeCamp regarding LB 245. That will be inserted in the Journal. (See page 1015.)

I have a series of resolutions ready for your signature, Mr. President, LRs 26, 28, 30, 31, 32, 35, 36, 37, 38, and 39.

January 11, 1982

LB 115A, 488A, 511, 768-771

CLERK: Mr. President, Senator Fowler would like to print amendments to LB 115A in the Journal. Senator Lamb to LB 511. (See pages 226-227 of the Journal.)

A new A bill, LB 488A offered by Senator Goodrich. (Read.) New bills, Mr. President, (Read by title for the first time LBs 768-771 as found on pages 227-228 of the Legislative Journal.)

Mr. President, again a reminder that the Education Committee will meet upon adjournment in Room 1517, that is the Education Committee in Room 1517 upon adjournment, Mr. President.

Finally, Mr. President, I have a reference report from the Reference Committee.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Okay, I would remind the chairmen that we would like to have a meeting tomorrow morning in Room 2102 at eight-thirty and I hope you will bring some of your ideas, suggestions and criticisms, the chairmen in the meeting that you request that we have every Tuesday. Now Senator Haberman, do you wish to adjourn us.

SENATOR HABERMAN: I move we adjourn until nine o'clock tomorrow morning.

SPEAKER MARVEL: The motion is adjournment until nine o'clock tomorrow morning. All those in favor say aye, opposed no. The motion is carried. We are adjourned.

Edited by

Arleen McCrory
Arleen McCrory

SENATOR SCHMIT: Mr. President and members of the Legislature, in view of the ringing endorsement we just had from some other Senators relative to consolidation of government, we now have an opportunity here to abolish an agency of government, and as Senator Wesely pointed out, we need to do that to bring about some efficiency from time to time. Years ago I served as a member of the Weather Modification Board. We never met. I never met the other members of the Board and nothing ever happened. I served out the term that I was supposed to have served for and I didn't know what I was doing and I would say that that was a pretty good prelude to being in the Legislature sometime. But I want to say also that there is no opposition to this bill. The bill, as I said, wipes out the Weather Modification Board and it was one of those ideas that someone established a few years ago and fits the usual criteria that I have talked about many times, an agency that helps no one, hurts no one, costs nothing and does nothing, serves its time and now ought to die a dignified death. I move the bill be advanced.

SENATOR CLARK: Is there any debate? Seeing none, that is your opening and closing on it, the advancement of LB 542. All those in favor vote aye, opposed vote nay.

CLERK: Senator Clark voting aye.

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

CLERK: 34 ayes, 0 nays on the motion to advance the bill, Mr. President.

SENATOR CLARK: The bill is declared advanced. LB 424.

CLERK: Mr. President, I have a request from Senator Rumery to pass over LB 424. Is that right, Senator?

SENATOR CLARK: LB 424 is passed over. LB 230, that is a pass over also.

CLERK: Yes, Mr. President, Senator Fowler made a request that we pass over LB 230.

SENATOR CLARK: LB 511.

CLERK: Mr. President, LB 511 was introduced by Senator Lamb. (Title read.) The bill was originally read on January 20 of last year. It was referred to the Public Works Committee for public hearing. The bill was advanced to General File, Mr. President. There are committee amendments pending by the Public Works Committee.

SENATOR CLARK: Senator Kremer. Is he in the Chamber? If not, Senator Lamb, do you want to take the committee amendments?

SENATOR LAMB: Thank you, Mr. Clark. I wish Senator Kremer were here because I have some amendments which are being circulated at this point and which will replace the committee amendment and I think we have an agreement among the members of the Public Works Committee that the amendment which I am offering is acceptable.

SENATOR CLARK: If you don't care, I will have Senator Beutler take the amendments.

SENATOR LAMB: All right.

SENATOR CLARK: Senator Beutler, will you take the amendments to LB 511? Committee amendments. Senator Beutler.

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, I was not prepared to do this. Let me say generally that this is the situation. The bill has to do with exempting certain kinds of well drilling equipment from road requirements and in committee we narrowed the exemption that was asked for to make it narrower, but since that time Senator Lamb and other members of the committee, my problem is that I cannot speak for the committee, but myself and at least a couple other members of the committee I think including Senator Kremer have agreed to a compromise amendment that Senator Lamb will offer. I believe Senator Lamb intended those to be instead of the committee amendments, is that clear, is that correct, Senator Lamb? Okay, so again I can't speak for the committee but for myself in order to discuss the bill intelligently I think the thing to do would be to reject the committee amendments and then go ahead and let Senator Lamb present his amendment and then we can have a discussion on the substance of the bill. Thank you.

SENATOR CLARK: Senator Lamb, do you want to reject the committee amendments or do you want to amend the committee amendments?

SENATOR LAMB: It would be my preference, Senator Clark, to reject the committee amendments because under the amendment I am offering they don't fit in.

SENATOR CLARK: Fine. That will take 25 votes. To amend the committee amendments, it would only take a simple majority. The motion is to reject the committee amendments, is that right?

January 12, 1982

LB 511

SENATOR LAMB: Right.

SENATOR CLARK: All right, the motion before the House is the rejection of the committee amendments. Senator Kremer, did you want to talk on the rejection of the committee amendments?

SENATOR KREMER: I will speak to the motion. I support the motion. I talked this over with Senator Lamb and I think like the other bill this morning, the shortest and the best route would be to reject the committee amendments and adopt the amendment that Senator Lamb will be offering and I agree with what he is trying to do so I do support it.

SENATOR CLARK: The question before the House is the rejection of the committee amendments on LB 511. All those in favor vote aye, all those opposed vote nay. Record the vote.

CLERK: 27 ayes, 0 nays, Mr. President.

SENATOR CLARK: The committee amendments are rejected. Senator Lamb, you have an amendment.

CLERK: Mr. President...

SENATOR LAMB: Mr. President and members...

SENATOR CLARK: The Clerk will read.

CLERK: It is found on page 226 of the Journal, Mr. President.

SENATOR CLARK: Senator Lamb.

SENATOR LAMB: Mr. President and members of the Legislature, the amendment has also been placed on your desks. The problem which this bill seeks to correct is that which has to do with well-boring equipment which is mounted on trucks. Under the current statutes, this well-boring equipment is exempt from licensure. No license whatsoever is required on the well-boring truck. Also the Attorney General has interpreted that to include the truck which carries the water tank and there has been a little bit of misunderstanding and confusion about some other equipment which is strictly connected with drilling a well. So anyway the amendment which I am offering would require licensure of all these trucks but at a reduced rate, 1/12th of the regular commercial rate. This compromise has been arrived at and I believe it is a good one because I can see the objection to the present situation where there is no license plate on that truck which has well-boring apparatus mounted on it, no license plate on it at all, so that the patrol or

anyone else has no means of identification for this very specialized piece of equipment. As you will note from the amendment that there is a penalty section, Section 3. "Any person using a vehicle registered pursuant to Section 2 of this act for any purpose not specifically authorized shall be guilty of a Class IV misdemeanor..." and so that section was put in there so that if by some chance some well driller does use this equipment for commercial purposes, then it can be curtailed. That in a nutshell is the crux of the amendment which then it becomes the bill. I ask that the amendment be adopted.

SENATOR CLARK: Senator Carsten on the amendment.

SENATOR CARSTEN: Mr. President, members, just a question of Senator Lamb, how did you arrive at 1/12th?

SENATOR LAMB: We looked at the statutes and there is a provision in there where semi-trucks using farm licenses have a 1/12th rate so that looked like as good a place to start as any.

SENATOR CLARK: Senator Nichol.

SENATOR NICHOL: Mr. Chairman, I would just have a question of Senator Lamb. When I see this bill I think of oil drilling equipment. Would this relate to water drilling equipment or not or is that necessary to put in the bill?

SENATOR LAMB: Well, that is a good question, Senator Nichol.

SENATOR NICHOL: I didn't mean to ask a difficult one but I just thought maybe you would want to say something in your amendment in case that it would apply to water well drilling.

SENATOR LAMB: I think that is a good suggestion. I guess what I would say at this point is that I would ask that we adopt the amendment and advance the bill and I will get with you on that and we may have to do something about that. I had not prepared that.

SENATOR NICHOL: That is fine.

SENATOR CLARK: Senator Wesely.

SENATOR WESELY: Mr. President, members of the Legislature, I would just like to rise in support of this amendment from Senator Lamb. I have talked to Senator Lamb and others supporting this bill and I thought one of the concerns was that there is no fee charged and that there might be some

minimal damage to the roads that could occur in that time that they did spend on them and that there ought to be at least some charge assessed and I felt that this amendment would at least try and do that to a degree and I think that ought to be adopted by this Legislature.

SENATOR CLARK: Senator Hefner.

SENATOR HEFNER: Mr. President, I have a question of Senator Lamb.

SENATOR CLARK: Senator Lamb, will you yield?

SENATOR HEFNER: Do you know the fiscal impact of this amendment? I see in the original bill where we have a \$42,000 credit. How would this differ from the original bill?

SENATOR LAMB: Well, it should have a positive fiscal impact because those trucks are not licensed at all. It is like running your combine down the road. You don't buy a license for it now. Under this bill we would license them at 1/12th the commercial rate so this is going to provide revenue.

SENATOR HEFNER: Why do we have a \$42,000 credit then in the original fiscal impact on the original bill?

SENATOR LAMB: I don't agree with that fiscal impact statement but the reason this bill came about in the first place is that there has been some confusion as to the enforcement of the licensure requirement for some of these trucks that haul, for instance, all they are used for is to haul a caterpillar out to the well site and they dig the hole, the sump hole. And now some counties, they required them to buy a commercial license, other counties they did not. And so there has been that confusion. We tried to clear that up here plus adding this relatively minor fee.

SENATOR HEFNER: Thank you, Senator Lamb. With the answer to that particular question, I believe that I can support the amendment because we will be taking in or the counties and I suppose the State Highway Trust Fund would be taking in more money and so it looks to me like it would work out to be a good deal, a good measure.

SENATOR CLARK: The question before the body is the adoption of the Lamb amendment. All those in favor vote aye, all those opposed vote nay.

CLERK: Senator Clark voting yes.

SENATOR CLARK: Record the vote.

January 12, 1982

LB 511, 338

CLERK: 29 ayes, 0 nays, Mr. President, on adoption of Senator Lamb's amendment.

SENATOR CLARK: The amendment is adopted. Now on the advancement of the bill.

SENATOR LAMB: I move the bill be advanced.

SENATOR CLARK: Do you want to explain the bill?

SENATOR LAMB: Well, the amendment was the bill, so if there are any other questions, I would be happy to respond.

SENATOR CLARK: Is there any further debate on LB 511? If not, the question is the advancement of the bill. All those in favor vote aye, opposed vote nay. Record the vote.

CLERK: 28 ayes, 1 nay on the motion to advance the bill, Mr. President.

SENATOR CLARK: LB 511 is advanced. We will now take up LB 415.

CLERK: Mr. President, I have a request from Senator Cullan to pass over LB 415.

SENATOR CLARK: LB 305.

CLERK: Mr. President, Senator Beutler has been excused.

SENATOR CLARK: LB 338.

CLERK: Mr. President, LB 338 was introduced by Senator Koch. (Title read.) The bill was first read on January 19 of last year, referred to the Education Committee for public hearing. The bill was advanced to General File. There are committee amendments pending by the Education Committee.

SENATOR CLARK: Committee amendments, Senator Koch.

SENATOR KOCH: Thank you, Mr. Chairman. The committee amendments are technical in nature and I ask for the adoption of those amendments and then I will go through the bill section by section.

SENATOR CLARK: Is there any further debate on the committee amendments? If not, the question is the adoption of the committee amendments. All those in favor vote aye, opposed vote nay. Have you all voted on the adoption of the committee amendments? Record the vote.

January 19, 1982

SENATOR CLARK: The motion lost. The next amendment is amendment number two of Senator Vickers to Section one. He wants to read a few things in first.

CLERK: Mr. President, very quickly, new bills: (Read by title for the first time, LBs 895-914 as found on pages 343-347 of the Legislative Journal.)

Mr. President, I have a hearing notice from the Public Works Committee for January 29, February 10, 11 and 17. That is signed by Senator Kremer as Chair.

Mr. President, Retirement sets hearings for Wednesday, January 7 and Revenue sets hearings for January 25, 26 and 27, signed by the respective chairmen.

I have a reference report referring LBs 848 through 880.

Mr. President, your committee on Enrollment and Review reports that 511 be reported to Select File with amendments, 192 Select File with amendments, 231 Select File with amendments, 454 Select File, 304 Select File, 69 Select File with amendments, 139 Select File, 139A Select File, 305 Select File, 239 Select File with amendments, 410 Select File with amendments, 278 Select File with amendments, 126 Select File with amendments, all signed by Senator Kilgarin.

SENATOR CLARK: We are now ready for the second Vickers amendment to Section one.

CLERK: Mr. President, the amendment reads as follows: On page 2, line 13, strike the word "life" and insert "safe yield."

SENATOR CLARK: Senator Vickers.

SENATOR VICKERS: Mr. President, since that is more of a technical one there the following amendment on Section two would be more applicable to take up and I think the Clerk has other amendments on Section one so if you would want to skip over this and go to the other amendments that are on Section one, that would be fine with me. You have other amendments and I think Senator Beutler and some other people might have amendments on Section one if you want to go ahead and take those up at this time.

CLERK: So are you withdrawing. . .you don't want this one then, Senator?

SENATOR VICKERS: That one is more of a technical one. It

January 25, 1982

LB 378, 511, 454

PRESIDENT: I have already called for the roll. I have already called for the vote. I gave I think an extraordinary amount of time for people who wanted to call in a vote. I asked you if you wanted a roll call. You said you did not want it and I have asked for the roll call vote. So the vote is called. The decision is made as far as I am concerned. The motion fails. You can appeal my ruling if you want to. I think we had ample time to get everybody in. Okay. The next matter on the agenda, Mr. Clerk, is General File, Special Order, continuation of the Health Care Certificate of Need Act.

CLERK: Mr. President, if I may right before that, Senator Lamb would like to print amendments to LB 511 and Senator Fowler to LB 454. (See page

Mr. President, LB 378 is a bill introduced by the Public Health Committee. (Read title). The bill was first read on January 19 of last year. It was referred to the Public Health Committee for hearing. The bill was advanced to General File, Mr. President. It was considered by the Legislature on January 14 of this year. At that time there was an amendment from Senator Marsh that was adopted. There were also amendments offered by Senator Cullan that were adopted on that date. I now have pending, Mr. President, a series of amendments offered by Senator Wesely. The first amendment offered by Senator Wesely is "on page 12 strike from the word 'other' in line 25 through the word 'section' on line 27."

PRESIDENT: The Chair recognizes Senator Wesely.

SENATOR WESELY: Yes. Mr. President and members of the Legislature, I at this time am going to withdraw my amendments, all of them, and replace them with only five in terms to try and focus on the key issue. So I will be going down and withdrawing that amendment and future amendments.

CLERK: Senator, do you want to withdraw all the amendments that you had?

PRESIDENT: All...is he withdrawing all?

CLERK: Yes, sir.

PRESIDENT: All the amendments. They are withdrawn.

CLERK: Mr. President, the next amendment I have is offered by Senator Cullan and Senator Marsh. It reads as follows: "Amend Section 5, line 18, strike 6 and insert 5."

PRESIDENT: The Chair recognizes Senator Cullan.

SENATOR CULLAN: Mr. President and members of the Legislature,

January 29, 1982

LB 511, 778, 779

Mr. President, your committee on Banking whose Chairman is Senator DeCamp to whom was referred LB 778 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; and LB 779 General File with amendments. Both signed by Senator DeCamp.

Mr. President, on LB 511...

SENATOR CLARK: (Gavel) Could we have it a little quiet under the balcony please.

CLERK: ...there are E & R amendments, Mr. President.

SENATOR CLARK: There is no E & R amendments?

CLERK: There are, Senator.

SENATOR CLARK: Senator Kilgarin. Senator Lamb, would you take the E & R amendments?

SENATOR LAMB: Mr. President, I move the E & R amendments be adopted.

SENATOR CLARK: You have heard the motion. All those in favor say aye, opposed nay. The amendments are adopted. Next amendment.

CLERK: Mr. President, Senator Lamb would move to amend, and the amendment is on page 398 of the Legislative Journal.

SENATOR CLARK: Senator Lamb.

SENATOR LAMB: Mr. President, members of the Legislature, if I can speak over the din under the North balcony...

SENATOR CLARK: (Gavel) Could we once again have it quiet under the North balcony. We cannot hear.

SENATOR LAMB: ...I have an amendment which is printed on page 398 of the Journal and the first two paragraphs of that amendment are merely clarification. They make the same language just read a little better. The third paragraph requires that there will be a special license plate for the well-boring apparatus. We checked with the Department of Motor Vehicles and they have decided that this is the best way to approach it. The fee is not changed. It is still the one-twelfth which was in the bill as we advanced it from General File but there will be a designation on the license plate that this vehicle is hauling well-boring apparatus. That is the extent of the amendment and I ask that it be adopted.

January 29, 1982

LB 511, 192

SENATOR CLARK: Is there any discussion on the Lamb amendment to 511? If not, all those in favor vote aye, opposed vote nay. We do need 25 votes for each one of these amendments. Record the vote. I voted.

CLERK: Senator Clark voting yes. 25 ayes, 0 nays on adoption of Senator Lamb's amendment.

SENATOR CLARK: The amendment is adopted. Any further amendments?

CLERK: Nothing further on the bill, Mr. President.

SENATOR CLARK: Senator Lamb.

SENATOR LAMB: Mr. President, I move that the bill be advanced.

SENATOR CLARK: You heard the motion. All those in favor say aye, opposed. The bill is advanced. LB 192.

CLERK: Mr. President, on LB 192, there are E & R amendments pending.

SENATOR CLARK: Senator Kilgarin.

SENATOR KILGARIN: I move the E & R amendments to LB 192.

SENATOR CLARK: You heard the motion. All those in favor say aye, opposed. The amendments are adopted. Further amendments?

CLERK: Yes, sir, Mr. President, Senator Warner now has an amendment found on page 461 of the Journal.

SENATOR CLARK: Senator Warner.

SENATOR WARNER: Mr. President, members of the Legislature, what the amendment does, and I visited with Senator Leathers, Senator Vickers and others, it doesn't change the purpose of the bill. This is one where there is a lawsuit filed and that there are attorney fees to be paid by the state or by the agency why that that can be done, but what the amendment does, it struck a portion of the language that set up the system as to how those funds would be, fees or assessments would be paid, and puts in a system which is similar to what we are all familiar with on the Claims Board. It spells out also more specifically the process that would be used to notify the Legislature of any of these situations specifically that the agency involved, if it did have an assessment against it by virtue of court action, would notify in writing the Claims Board and then it would require that

February 4, 1982

LB 32, 69, 192, 198, 229, 231, 239,
263, 264, 270, 309, 347, 370, 403,
418, 423, 431, 448, 449, 490, 492,
511, 542, 563-66, 572, 592

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: The opening prayer will be given by Pastor Glenn Frazier of the Antelope Park Church of the Brethren.

PASTOR FRAZIER: Prayer offered.

SPEAKER MARVEL: Roll call. Please record your presence. Will you please record your presence? Senator Cope and Senator Warner, would you please record your presence? Record.

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

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

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 69 and find the same correctly engrossed; 192, 198, 231, 239, 263, 370, 431, 448, 449, 511 and 592 all correctly engrossed. (See pages 540 through 544 of the Legislative Journal).

Mr. President, LBs 32, 229, 264, 309, 347, 403, 418, 423, 490, 492, 542, 563, 564, 565, 566, and 572 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 engrossed LB 32, engrossed LB 229, engrossed LB 264, engrossed LB 309, engrossed LB 347, engrossed LB 403, engrossed LB 418, engrossed LB 423, engrossed LB 490, engrossed LB 492, engrossed LB 542, engrossed LB 563, engrossed LB 564, engrossed LB 565, engrossed LB 566, engrossed LB 572. We are down to item #4, motions, and the first motion concerns LB 270.

CLERK: Mr. President, LB 270 was last considered by the Legislature January 27th. At that time Senator Barrett offered a motion to indefinitely postpone the bill. That motion prevailed. Subsequent to that action, Senator Cullan offered a motion to reconsider the body's action to indefinitely postpone LB 270. That motion is found on page 450.

SPEAKER MARVEL: The Chair recognizes Senator Cullan.

SENATOR CULLAN: Mr. President and members of the Legislature,

February 11, 1982

LB 449, 511, 592

SPEAKER MARVEL: The bill is declared passed with emergency clause attached. The next bill on Final Reading is 449.

CLERK: Mr. President, Senator Warner would move to return LB 449 to Select File for a specific amendment.

SPEAKER MARVEL: The Chair recognizes Senator Warner.

SENATOR WARNER: Mr. President and members of the Legislature, I move the bill be returned. The amendment that I have puts into the statute an Attorney General's....or it is in response in part to an Attorney General's Opinion, but it puts into the statute a definition for contact lens as it relates to optometry plus another very technical amendment, and I was to receive a letter from the Department of Health on the amendment which I just received this moment. So I would move to have the bill returned for the specific amendment but not acted upon today because they have one suggested change and I think would like to check that out. So I would just move that the bill be returned for the specific amendment but not be taken up.

SPEAKER MARVEL: Okay, you have heard the motion of Senator Warner. All those in favor of that motion vote aye, opposed vote no. Record the vote.

CLERK: 36 ayes, 0 nays on the motion to return the bill, Mr. President.

SPEAKER MARVEL: The Clerk will read on Final Reading LB 511.

CLERK: (Read LB 511 on Final Reading.)

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

CLERK: (Read the record vote as found on page 661 of the Legislative Journal.) 46 ayes, 0 nays, 1 excused and not voting, 2 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. The Clerk will now read LB 592.

CLERK: (Read LB 592 on Final Reading.)

February 16, 1982

LB 192, 198, 231, 239,
263, 370, 448, 450,
465, 511, 592

Mr. President, Senator Barrett would like to have an executive session of the Business and Labor Committee tomorrow at ten-thirty, is that right, Senator, ten-thirty in the West Lounge. That is tomorrow morning, Business and Labor Committee.

Mr. President, Senator Duda asks unanimous consent to be excused all day February 17.

Mr. President, I have Legislative Bills passed on Final Reading 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 592, 511, 448, 370, 263, 239, 231, 198, 192, 450 and LB 465. We have one more guest that we would like to introduce. I believe he is under the North balcony, here as a guest of Senator Kremer, Mr. John Harris from Aurora. He has filed for the Legislature from the 34th District. Would Mr. Harris stand up and be recognized. Welcome to your Unicameral, Mr. Harris. And now the Chair recognizes the Honorable Senator Nichol from Scottsbluff, Nebraska.

SENATOR NICHOL: Mr. Chairman, members of the Legislature, I want you to know that western Nebraska is still in great shape. Since it is Valentines Day just past and you need a little sweetening up, I heard a few remarks while out west over the weekend and so I thought I would sweeten you up a little today. There is some sugar from the Great Western Sugar Company up in front of the podium and I would ask that you would please take a bag for yourself. I would like to take the credit for buying this but I didn't buy it. It was given to me to give to you, and in spite of what Senator Dick Peterson says, why it is still a good food to eat and if he wants equal time that is fine but I thought I would return good for evil and bring you a little sugar this morning. Thank you.

PRESIDENT: Thank you, Senator Nichol. Did Senator Richard Peterson have something to add or another point? Senator Peterson.

SENATOR R. PETERSON: Yes, Mr. Speaker, fellow colleagues, I would encourage my fellow colleagues to hands off all the sugar that is up there and you know the dentist and that are saying...I don't know, maybe Senator Nichol is being paid off by the dentist because you know this is bad for your teeth, so for gosh sakes go to honey.

LR 211, 224
LB 131, 192, 198, 211, 224, 231,
239, 263, 270, 274, 274A, 287,
314, 402, 440, 448, 450, 454,
465, 511, 547, 589, 592, 634,
646, 649, 669A, 672, 827

February 22, 1982

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: The prayer will be delivered by the Reverend Palmer.

REVEREND PALMER: Prayer offered.

SPEAKER MARVEL: Record your presence, please. While we are waiting for a quorum, underneath the South balcony from Scottsbluff, Nebraska, Audrey Towater is the guest of Senator Nichol. She is the one that has that large object there she is working on. I suggest that at your convenience you take a look at it. It is very interesting. Record, Mr. Clerk.

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

SPEAKER MARVEL: The Clerk has got some items to read into the Journal.

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined and reviewed LB 634 and recommend that same be placed on Select File with amendments; 672 Select File with amendments and LB 827 Select File and 669A Select File, all signed by Senator Kilgarin. (See pages 790-791 of the Journal.)

Your Enrolling Clerk respectfully reports that she has presented to the Governor on February 19 at two-fifty, bills passed on Final Reading that day. (Re: LB 131, 274, 274A, 287, 314, 402, 440, 454 and 589.)

Mr. President, I have communications from the Governor. The first is addressed to the Clerk. (Read communication re: LB 239 as found on page 791 of the Legislative Journal.) The second communication is addressed to the Clerk. (Read re: LB 192, 198, 231, 263, 270, 448, 450, 465, 511, 592, 131, 274, 274A, 287, 314, 402, 454 and 589.)

Mr. President, your committee on Urban Affairs whose chairman is Senator Landis reports LB 904 as indefinitely postponed. That is signed by Senator Landis as Chair.

Senator Schmit would like to print amendments to LB 547 in the Legislative Journal. (See page 792 of the Journal.)

Mr. President, LR 211, 224 and LB 646 and 649 are ready for your signatures.

SPEAKER MARVEL: While the Legislature is in session and capable of transacting business I am about to sign and do sign LR 211, LR 224, engrossed LB 646, LB 649. (See page