

March 30, 1981

LR 47
LB 171, 253, 556

PRESIDENT LUEDTKE PRESIDING

DR. ROBERT PALMER: (Prayer offered.)

PRESIDENT: Roll call.

CLERK: Mr. President, Senator Labeledz would like to be excused until she arrives. Excuse Senators Hoagland, Newell, and Marsh until they arrive and Senator Cullan all day.

PRESIDENT: Record the presence, Mr. Clerk.

CLERK: A quorum present, Mr. President.

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

CLERK: I have no corrections, Mr. President.

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

CLERK: Mr. President, a communication from the Governor addressed to the Clerk. (Read. Re: LB 171. See pages 1176 and 1177, Legislative Journal.)

Mr. President, I have amendments from Senator DeCamp to be printed in the Journal regarding LB 253. Senator DeCamp would like to withdraw certain amendments to LB 253 as well, Mr. President.

PRESIDENT: All right, the amendments are withdrawn.

CLERK: Mr. President, a new bill, LB 556. (Read title.)

Mr. President, finally, LR 47 is ready for your signature.

PRESIDENT: While the Legislature is in session and capable of doing business, I propose to sign and I do sign LR 47. Before we get started on agenda item #4, the Chair takes pleasure in introducing Senator Howard Peterson's brother from Olympia, Washington, Arthur W. Peterson. Would Art come forward and be recognized? Welcome to the Nebraska Unicameral. We also have a guest of Senator Lamb, Mr. and Mrs. Clifford Armstrong from Broken Bow. They are the parents of Rod Armstrong who is on Senator Fowler's staff. Would the Armstrongs step forward? They are under the North balcony. Good morning and welcome to the Unicameral. We will proceed then with agenda item #4, gubernatorial

April 2, 1981

LB 72, 181, 205, 284,
284A, 512, 529, 556

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: The morning prayer will be given by Pastor Jack Glass, of the First Assembly of God.

PASTOR GLASS: Prayer.

SPEAKER MARVEL: Will you please record your presence.

CLERK: Mr. President, Senator Burrows would like to be excused until he arrives. Mr. President, Senators Clark and Nichol would like to be excused for the day. Senators Cullan, Pirsch and Sieck until they arrive.

SPEAKER MARVEL: Record.

CLERK: Quorum present, Mr. President.

SPEAKER MARVEL: Do you have any items under number three?

CLERK: Mr. President, Senator Warner gives notice of hearing scheduled on LB 556 by the Appropriations Committee.

Your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 284 and recommends the same be placed on Select File. LB 284A Select File. (Signed) Senator Kilgarin, Chair.

Your Committee on Enrollment and Review respectively reports they have carefully examined and engrossed LB 72 and find the same correctly engrossed and 205 correctly re-engrossed. (signed) Senator Kilgarin.

Mr. President, I have a report of registered lobbyists for the week of March 27th through April 1st.

Mr. President, Senator Schmit would like to print amendments to LB 11. Senator Howard Peterson to LB 512. Senator Vickers to 181.

Mr. President, Senator Sieck and Kahle ask unanimous consent to add their names to LB 529 as co-introducers.

SPEAKER MARVEL: Hearing no objection so ordered.

CLERK: I believe Mr. President that is all that I have at this time.

RECESS

LB 326, 556

May 8, 1981

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Has everybody indicated their presence?

CLERK: There is a quorum present, Mr. President. Mr. President, I have an Attorney General's Opinion addressed to Senator Warner regarding LB 556. That will be inserted in the Legislative Journal. (See pages 1877 and 1888 of the Legislative Journal.)

SPEAKER MARVEL: Okay, the first order of business this afternoon is LB 326.

CLERK: Mr. President, I have E & R amendments to LB 326.

SPEAKER MARVEL: Senator Kilgarin, do you want to move the E & R amendments to 326?

SENATOR KILGARIN: I move the E & R amendments to LB 326.

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

CLERK: Mr. President, I now have a motion from Senator Kremer. Would you like me to read it, Senator?

SENATOR KREMER: I believe, Mr. Chairman, I will wait to see what happens to the Beutler amendment because it has a bearing on that.

SPEAKER MARVEL: The Clerk has an amendment on the desk.

CLERK: Mr. President, Senator Beutler moves to amend. Senator, you have two. Do you have a preference as to which one first? "Strike original Section 4 and all amendments thereto", that one? Second. Mr. President, Senator Beutler moves to amend.

SPEAKER MARVEL: Have you got it?

CLERK: Yes, sir.

SPEAKER MARVEL: Senator Beutler.

SENATOR BEUTLER: Mr. Speaker and members of the Legislature, the first amendment is a very short amendment, not exactly technical in nature but it makes no momentous changes at all. This bill, let me remind you, sets up the water planning process. Actually it puts it into statute

May 11, 1981

LB 95A, 257A, 389A, 396A,
477A, 506A, 541A, 556

Mr. President, your Committee on Enrollment and Review respectfully reports that they have carefully examined and reviewed LB 95A and recommend that same be placed on Select File; 389A Select File; 396A Select File; 477A Select File; 506A Select File; 541A Select File and 257A Select File, all signed by Senator Kilgarin as Chair.

SENATOR CLARK: LB 556.

CLERK: Mr. President, with respect to 556, the bill was introduced by the Speaker at the request of the Governor. (Read.) The bill was read on March 30 of this year. It was referred to the Appropriations Committee for hearing. The bill was advanced to General File. There are committee amendments pending by the Appropriations Committee, Mr. President.

SENATOR CLARK: Senator Warner, on the committee amendments.

SENATOR WARNER: Mr. President and members of the Legislature, LB 556 is the bill that reflects the increased premiums when the health insurance that is provided for state employees, other than higher education, when those new bids were opened and those dollar amounts will be explained. The committee amendment that is offered merely, well, back up. The amendment was offered at the committee hearing requesting that the legislation require that coverage for abortion be made available at the employee's expense and the presentation was based upon the testimony by those who appeared that the prohibition or the requirement for this, for an abortion to be paid for by the individual employee had been suggested when the legislation that prohibited state funds was being considered and enacted and they wanted some assurance that, in fact, that would occur. If you look on page 1877 of the Journal there is a letter which I requested of the Attorney General requiring two things relative to the amendment, first, whether or not whether it would be constitutional and I think you can summarize the response on that, that if the original legislation prohibiting it is constitutional then this is probably constitutional or if LB 125 is not constitutional then neither would this be either. So that seems to be a draw. The other request for an opinion, however, was whether or not we would jeopardize by the adoption of this amendment the coverage that the state might have for its employees under the new bid and it would be my understanding from the Attorney General's letter that if the amendment is adopted, that then it would be expected that the state would find someone who would provide that coverage for those who wanted it and provided they could find some company of some kind that would provide this kind of coverage then the conditions would be met and

under those circumstances it would not jeopardize the low bid which was Blue Cross - Blue Shield. I also wrote a letter at the request of the committee to Blue Cross - Blue Shield inquiring what their policy would be toward any amendment requiring coverage and in their response they indicated they do not offer riders at a high option for this. Secondly, they did not expect to offer such coverage. I also inquired as to the cost of such coverage and I think their position be that the cost would be probably excessive in terms of anyone wanting to purchase it singularly because the whole concept, of course, of group coverage is a broad spectrum of health services that might be provided and this kind of service to be covered under insurance program would have a very limited number of applications, essentially only those who would expect or anticipate to make use of it or the probability of making use of this kind of coverage and since that would be such a small group that even if it was offered that the cost would probably be prohibitive or at least equal to the cost of the service itself. I think that summarizes what the ... the two things that were done on the part of the committee but they did vote to offer the amendment, I think feeling it was in keeping with what had been indicated on the floor in the consideration of another bill, specifically LB 125. I move adoption of the committee amendment.

SENATOR CLARK: On the committee amendment, Senator Labeledz.

SENATOR LABEDZ: Thank you, Mr. President. I stand in opposition of the committee amendments. When LB 125 was debated earlier this year Senator Haberman offered an amendment which would have required the insurer to offer individual insurance coverage for abortions. 29 members of this body rejected the policy suggestion. They recognized the bad public policy the amendment suggested. We are forcing the State of Nebraska to intercede on behalf of the right to an abortion is equally as bad. In 1980 the Legislature dealt with LB 1004 which was amended by Senator Dworak and myself to exclude the use of public funds to pay for abortions in the state employees health insurance package. Efforts were made to mandate the individual coverage at that time. Those efforts were rejected. Many of you here today voted to reject that amendment and I think you should remember that position when you vote here on this committee amendment. There is a federal act, the Federal Pregnancy Discrimination Act, which sets standards as to the requirements which employers have with respect to providing insurance coverage for abortion. The only requirements that the employers provide coverage for those abortions which are necessary to prevent the death of the mother and for compli-

cations arising from abortions. We have this provision in LB 125 and nothing additional is required. Nothing further is necessary and I think that this amendment should be rejected. I can't stress enough that this Legislature will be taking a misdirected step if this amendment is adopted. It will amount to a statement on behalf of abortion. It is a position we are not compelled to take just because we have decided not to subsidize abortion. This is a very bad amendment and I urge the members of this body to reject the amendment. Thank you very much.

SENATOR NICHOL: Senator Dworak.

SENATOR DWORAK: Mr. President and colleagues, this is one of those issues that you kind of get somewhat in a crack on and I am going to try to explain why this amendment is before it and incidentally, I was one that voted against this amendment in the committee, but during the debate when we debated and passed LB 125 it was my position, not my position by choice but my position by just reality that if someone could get abortion coverage with their own money, so be it because there isn't anything we could do about that anyway. Now that does not mean that I am advocating or that I am supporting people go out with their own money to get abortions. It means I can't do anything about it. That is what it means and I can't and I am willing to live with that, but now we are mandating that this type of benefit be made available. We are taking an overt action this body and saying, is that you shall provide this type of coverage. Now that is something I can say something about because that is not a constitutional question for me to say that Blue Cross - Blue Shield or any other insurance carrier shall provide anything. That is a decision that that carrier makes. That is not the Legislature's responsibility to say that you shall provide cancer coverage or you shall provide coverage against coronaries or you shall provide coverage for chiropractors. That is not a legislative decision. This is a precedent that in my opinion is unnecessary, cumbersome, meddlesome governmental interference in the private sector. Now if Blue Cross or any other carrier decides to provide this coverage, and a state employee voluntarily decides to avail themselves to this coverage, there is nothing I can do about it. I am not saying there isn't anything I would like to do about it, but there is nothing I can do about it. But then what this particular amendment does is go one step farther, other than saying if it is available you can buy it, we are not going to say or do anything about it, we are now saying, you shall provide it, and that is a step too far. Now it's a traditional record of this body on abortion and it has been solid and it has been consistent and in every

May 11, 1981

LB 556

way that it constitutionally could discourage abortions, it has done. For this body to adopt this amendment would be a tremendous reversal of the position it consistently held. Many of you who voted traditionally and consistently against abortions would be very inconsistent in your voting record if you would support this amendment.

SENATOR NICHOL: Senator Cullan.

SENATOR CULLAN: Mr. President and members of the Legislature, I think we owe the other side an obligation to listen to Senator Fowler tell us why we should reverse our position and I don't think this Legislature is inconsistent enough to take one position on LB 125 and another one here, and so I am going to oppose this attempt by Senator Fowler and others to accomplish through the Appropriations Committee what they failed to do in LB 125. But with that, I think the Legislature will be consistent on this issue and so I will urge you to reject the Appropriations Committee amendments and I will yield to someone else on the other side that can tell me why I am wrong.

SENATOR NICHOL: Senator Fowler. This is not time that Senator Cullan gave you. It's your own time.

SENATOR FOWLER: Okay, I will take both. There are so many reasons, Senator Cullan, that you are wrong. I don't even know where to begin. This is an amendment not to contradict 125, it's an amendment to implement 125. The pledges that were made on this floor was that the only concern with 125 is that the state's share of insurance not be used to pay for the cost of abortions. If someone, and I don't know how many times I heard this said, if someone wanted to pay for it with their own money, they should be able to do so. There were those supporting 125 who stood up and said, there are insurance carriers that do provide this in many states as a rider, and all we are saying is that tax money should not be used for abortion. Well, today now those same people are saying, we want to make sure that state employees can't use their own money to pay for abortions. 125 mandates nothing of the insurance companies. It is not an imposition, or this amendment does not mandate anything of the insurance companies. It says that...all it does is say that the state shall have available abortion only coverage if the employee wants to pay a hundred percent of the cost. And I thought that was the idea behind the first bill when Senator Labeledz and Higgins and Dworak were pushing 125. It doesn't say that Blue Cross in its policy is going to be forced to provide this. The responsibility is on the state to make sure that this option is available if the employee wants to pay one hundred percent

of the cost. And as far as I know, that is exactly what the sponsors of 125 say would be available. Now it is not the Appropriations Committee that has gotten into the business of deciding what is in and what is out of our state group health insurance bids. It was those that brought in 125 in previous legislation that started mandating specifications on this floor by saying, abortion shall not be part of that part of the insurance policy that is paid for with state dollars. That was the precedent breaking, Senator Dworak. This is not the precedent breaking today. This is merely the implementation of the legislation that you brought in. This in no way is a reversal of what was debated on 125. It is not a reversal of the position of this Legislature. It is a confirmation of the position that says that abortion coverage shall be available only if the employee pays one hundred percent of the cost. That's all the amendment says. It doesn't put a mandate on private enterprise. It simply puts responsibility on us and the state to fulfill the pledge that was made to people when LB 125 passed. So, Senator Cullan, it is not a reversal. It is not a contradiction. For that reason it came out of the Appropriations Committee as a rider simply to implement the bill that you supported.

SENATOR NICHOL: Senator Marsh.

SENATOR MARSH: Thank you, Mr. Chairman. At the time LB 125 was being discussed, both Senator Higgins and Senator Labeledz assured us that there would be coverage if an employee chose to pay for coverage for abortion from that employee's own dollars. What this amendment has quite successfully done is point up that what is said on the legislative floor is not necessarily fact, but an argument used to put forth one specific point of view at what cost to an employee. Abortion is a legal procedure under the Constitution of the United States but the legislation passed on this legislative floor, including LB 125, I continue to remind you is unconstitutional from the aspect that it prohibits a legal procedure. It has, in fact, the effect of prohibiting unless this amendment is adopted. If this amendment is adopted, it in fact will make 125 more constitutional than it currently is. I should be opposing the amendment brought in by the Appropriations Committee for I have no desire to make LB 125 a constitutional piece of legislation. Think just a moment, ladies and gentlemen, those of you who desire to make 125 in all probability have the ability to do so right now by voting for this amendment. What a quandry for me.

SENATOR CLARK PRESIDING

SENATOR CLARK: Senator Higgins.

SENATOR HIGGINS: Mr. Speaker and Senators, I first have to correct my two colleagues, Senator Fowler and Senator Marsh, and I am going to have to read again what Senator Labeledz read to them the last time we debated this, from the Family Planning Prospective magazines. And I quote: Blue Cross Coverage. "Information on Blue Cross based on 66 of a total of 74 regional plans was supplied by the Blue Cross Association in response to a request for information in July, 1976." And then under the heading of Rider they said: "Forty-two Blue Cross plans provide coverage under a rider as well as under the basic plan. The 8 plans that do not cover abortion in their basic plan have abortion coverage available under a rider only or under a rider in conjunction with major medical coverage". Now that is what Senator Labeledz read to them the last time we debated it. She didn't say, and I didn't say we were going to mandate that they do it. We just said that they are doing it and they can do it here if they so elect. I am sure most of you in this body remember that great singer Bing Crosby, and probably a lot of you realize that good old der Bingle had ears that stuck way out, and when he made a movie they always taped his ears back. And all of us love Bob Hope who makes fun of his own large what he calls the ski jump nose, and who will ever forget Jimmy Durante and his large schnoz. Now I wonder why insurance companies and particularly in this case for public employees, why don't we mandate that they have got to cover hair transplants for baldheaded men? Probably because they know too many men that have bald heads would be asking for it. And those of us who aren't satisfied with the shape of our nose, we might mandate that all public employees at state expense are going to be able to go and have their noses enlarged or made smaller, and I could go on and on about elective surgeries that if we want we can tell Blue Cross, by golly you are going to give these people the right to have all this elective surgery. I can see why Blue Cross would not want to offer abortion insurance as they do maternity benefits. Let's face it, ladies and gentlemen, maternity benefits the most they can pay off on is once every nine months. But if they are forced to pay off on abortion insurance, well, that is like Russian Roulette. Maybe they can pay off once a month, maybe once every two months. Heaven knows how often they would have to pay for it. Even the gall bladder you only remove once. So I think Blue Cross is probably trying to tell us that the reason they don't want to offer it is because they know it will be demanded too often, it will be a losing proposition, it will raise the cost of insurance for all other public employees. But if you are going to allow people to have elective surgery and you want it so that the state pays for it, then let's not stop with abortion. Let's put hair transplants in there,

May 11, 1981

LB 556

face lifts, nose jobs, anything and everything that anybody wants, and then watch the premiums skyrocket for everybody even though everybody doesn't need a hair transplant or a nose job. But I still want to remind you that Senator Labeledz and I both read you this article what Blue Cross is doing in other states and what they said they could do. Senator Labeledz and I never made any promises that we would ask for mandate that they do it. We merely told you what they are doing....

SENATOR CLARK: You have one minute left.

SENATOR HIGGINS:based on this article. So I would have to join with Senator Labeledz and ask that you do not pass this amendment. Thank you.

SENATOR CLARK: Senator Warner, do you wish to close on the committee amendments?

SENATOR WARNER: Well, Mr. President and members of the Legislature, again, the committee amendment does not mandate Blue Cross-Blue Shield, nor does it require anything to be provided for at state expense. It merely states that there is such an option that the employee's expense ought to be available from some other company. I read to you...or did not read it in its entirety, but the letter that was received from Blue Cross-Blue Shield that they will not...would not offer any kind of coverage at the employee's expense, that their current contract does not, and that question was asked because some felt that the Legislature had been led to believe that such coverage in fact was available. Our second concern then was whether or not if this is adopted would it in any way jeopardize the bid that we have received, and, again, based upon the Attorney General's letter it would not provided that the state could provide such coverage in the form of a contract with some other company that was willing to provide the coverage at the individual, or the employee's total expense. And I have not written to anyone to see if such coverage might be available elsewhere, although I have gathered from the comments I have heard on the floor that such coverage may be available from someone. But, again, I think the position of the majority of the committee was merely to put into the authorization for the new health insurance what some believed was the position of the state on this issue that it could only be available if paid for by the individual and to my knowledge that is all that amendment says that if it is to be available at all it has to be paid by the individual employee, the employee being paid and paying the insurance and that the state itself would provide none of the cost for it. Their only obligation

May 11, 1981

LB 556, 548

is to make sure that there is a company where if an employee chooses to do so, it would be available and I think that probably is available without jeopardizing the Blue Cross-Blue Shield bid in any fashion.

SENATOR CLARK: The question before the House is the adoption of the committee amendments to 556. All those in favor vote aye. All those opposed vote nay. Voting aye.

CLERK: Senator Clark voting yes.

SENATOR CLARK: Have you all voted on the committee amendments? Once more, have you all voted on the committee amendments to 556? Record the vote.

CLERK: Mr. President, Senator Fowler requests a record vote. (Read the record vote as found on pages 1927 and 1928 of the Legislative Journal.) 14 ayes, 20 nays, Mr. President, on adoption of the committee amendments.

SENATOR CLARK: The committee amendments are not adopted. The motion failed. Do you have anything further on the bill?

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

SENATOR CLARK: On the bill itself, Senator Marvel. On the bill.

SPEAKER MARVEL: I think Senator Warner has covered the bill adequately. If there are no comments, I move that the bill be advanced.

SENATOR CLARK: The motion before the House is the advancement of 556 to E & R. Is there any discussion? If not, all those in favor vote aye. All those opposed vote nay. Have you all voted? Record the vote.

CLERK: 28 ayes, 0 nays on the motion to advance the bill, Mr. President.

SENATOR CLARK: The bill is advanced. LB 548.

CLERK: Mr. President, LB 548 was a bill introduced by the Business and Labor Committee and signed by its members. (Read title.) The bill was first read on March 10th of this year. It was referred to the Business and Labor Committee for hearing. The bill was advanced to General File. There are committee amendments pending by the Business and Labor Committee, Mr. President.

May 12, 1981

LB 427, 427A, 556, 548

SENATOR CLARK: The bill is declared passed with the emergency clause attached. The Clerk will now read LB 427.

CLERK: Mr. President, if I may right before that, I have explanation of votes from Senator Warner. (See pages 1948-49).

Mr. President, your committee on E & R respectfully reports they have carefully examined and reviewed LB 556 and recommend the same be placed on Select File, and LB 548 Select File. Both signed by Senator Kilgarin, Chair.

SENATOR CLARK: Clerk will read LB 427.

CLERK: Read LB 427 on Final Reading.

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

CLERK: Senator Clark voting yes.

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

CLERK: 46 ayes, 2 nays, 1 present and not voting. Vote appears on pages 1949-50 of the Legislative Journal.

SENATOR CLARK: The bill is declared passed. The Clerk will read 427A.

CLERK: Read LB 427A on Final Reading.

SENATOR CLARK: All provisions of law according to procedure having been complied with, the question is, shall the bill pass. All those in favor vote aye, all those opposed vote nay. It takes 30 votes.

CLERK: Senator Clark voting yes.

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

CLERK: 45 ayes, 2 nays, 2 excused and not voting. Vote appears on page 1950 of the Legislative Journal.

SENATOR CLARK: The bill is declared passed. LB 292, with the emergency clause.

May 14, 1981

LR 184
LB 556, 134

SPEAKER MARVEL: 556. All in favor of that motion say aye, opposed no. The motion is carried. Thank you.

CLERK: Mr. President, the Rules Committee gives notice of a hearing for Wednesday, May 20th at 8:00 a.m.

Mr. President, Senators Dworak, Fowler, Stoney, Lowell Johnson, Cope and Marsh as members of the Appropriations Committee move to override the Governor's line item veto of the Department of Public Institutions, Program 424 - State Aid - Community Mental Retardation, including the final budget for each mental retardation region shown in Section 11 on pages 10 and 11 of the bill. That will be laid over, as I understand it, Mr. President.

Mr. President, Senator Koch would again like to remind the members of the Education Committee of a meeting in Room 1517 upon adjournment today. It is the Education Committee in Room 1517, Mr. President.

Mr. President, Senator Johnson has amendments to LB 134 to be printed in the Journal.

Mr. President, a new resolution. Mr. President, Senator DeCamp offers LR 184. It calls for an interim study. (Read portions of LR 184 found on pages 2056 and 2057 of the Legislative Journal.)

SPEAKER MARVEL: Senator Rumery, do you want to adjourn us until Monday, May 18th, at 9:30 a.m.?

SENATOR RUMERY: Mr. President, members of the Legislature, I move that we adjourn until Monday morning, May 18th, 9:30 a.m.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. Motion is carried. We are adjourned.

Edited by:


Mary A. Turner

May 18, 1981

LB 95A, 257A, 389A, 477A,
506A, 541A, 556

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: The legislator chaplain today is Senator Rumery.

SENATOR RUMERY: Prayer.

PRESIDENT: Roll call. Has everyone registered your presence so we can begin the days activities. 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: Journal stands correct as published. Any messages, reports or announcements?

CLERK: Mr. President, your committee on E & R respectfully reports they have carefully examined and engrossed LB 95A and find the same correctly engrossed, 257A correctly engrossed, 389A, correctly engrossed, 477A correctly engrossed, 506A correctly engrossed, 541A correctly engrossed, 556 all correctly engrossed (signed), Senator Kilgarin, Chair.

Mr. President an Attorney General's opinion addressed to Senator Carsten regarding section 4 and 10 of 284, be inserted in the Journal (pages 2060-2062).

Mr. President, I have received from the State of Tennessee a Joint resolution regarding Vietnam veterans. That will be on file in my office.

Mr. President, a communication from the Governor addressed to the Clerk regarding LB 190. See page 2062 of the Legislative Journal.

Mr. President, I have a report from the Department of Roads pursuant to Section 5(4) of LB 722 of 1980 Legislative Session. That will be on file in my office as well.

PRESIDENT: We are ready then for agenda item number four. Final Reading. If the Sergeant at Arms will secure the Chamber, all members will get to your desks. As soon as everyone is at their desks we will commence with Final

May 27, 1981

LB 548, 556, 556A

vote aye. All those opposed vote nay. It takes 30 votes.

ASSISTANT CLERK: Senator Clark voting no.

SENATOR CLARK: Have you all voted? Once more, have you all voted? Record the vote. Senator Marsh.

SENATOR MARSH: Mr. Speaker, I am going to request a roll call vote and the reason I am going to request a roll call vote is that this is necessary to pass if some of you do not wish to be called back into a special session.

SENATOR CLARK: A roll call vote has been requested. Call the roll. Everyone will be in their seats. We are going to have a roll call vote please. Call the roll.

CLERK: (Read roll call vote as found on page 2342 of the Legislative Journal.) 30 ayes, 14 nays, Mr. President, on final passage of LB 548.

SENATOR CLARK: The bill is declared passed. The Clerk will now read LB 556 with the emergency clause.

ASSISTANT CLERK: (Read LB 556 on Final Reading.)

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

ASSISTANT CLERK: Senator Clark voting aye.

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

ASSISTANT CLERK: (Read record vote as found on page 2343 of the Legislative Journal.) The vote is 43 ayes, 0 nays, 6 excused and not voting, Mr. President.

SENATOR CLARK: The bill is declared passed with the emergency clause attached. Is Senator Marvel in the room? The Clerk will now read 556 with the emergency clause attached. It is an A bill.

ASSISTANT CLERK: (Read LB556A on Final Reading.)

SENATOR CLARK: All provisions of law having been complied with, the question is, shall 556A pass with the emergency clause attached. All those in favor vote aye. All those opposed vote nay. It takes 33 votes.

CLERK: Senator Clark voting yes.

May 27, 1981

LB 111, 118, 129, 129A, 213,
318, 389, 389A, 523, 556,
556A

bills we didn't have time for before.

SPEAKER MARVEL: It is my understanding we have got about an hour, Mr. Clerk, is that right...?

CLERK: Yes, sir.

SPEAKER MARVEL: ...and at the end of that time we should have the bills up here and I appreciate your cooperation. I have nothing else to say because Senator Clark can't understand English.

SENATOR CLARK: We will be "easy" until then. Senator Marvel.

SPEAKER MARVEL: Where did you go? Oh. The Legislature will be at ease until seven o'clock.

SENATOR CLARK: Or until the bills come up?

SPEAKER MARVEL: Pardon me?

SENATOR CLARK: Or until the bills come up?

SPEAKER MARVEL: I think what we need, Mr. Clerk, and you can correct me, we need a quorum.

CLERK: That would be desirable, yes, sir.

SPEAKER MARVEL: Okay.

EASE

SPEAKER MARVEL: While the Legislature is in session and capable of transacting business I am about to sign and do sign LB 111, LB 118, LB 129, LB 129A, LB 523, engrossed LB 523, engrossed LB 556, engrossed LB 556A, one of the smaller bills of the session, engrossed LB 213, engrossed LB 318, reengrossed LB 389 and reengrossed LB 389A. Okay. Senator Goll, will you adjourn us until nine o'clock tomorrow morning.

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

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

Edited by LaVera M. Benischek
LaVera M. Benischek

6000

May 28, 1981

LR 192
LB 111, 118, 129, 129A, 213, 318, 322,
389, 389A, 472A, 523, 540, 548, 556, 556A

PRESIDENT LUEDTKE PRESIDING

DR. ROBERT PALMER: Prayer offered.

PRESIDENT: Would you all register your presence? We would like to get started. Senator Carsten, would you give us a green light and then we will start. Thank you, you got us under way. 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 will stand as published. Any messages, reports or announcements?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined LB 540 and find the same correctly enrolled; 322 correctly enrolled.

Mr. President, your enrolling clerk has presented to the Governor for his approval the bills that were read on Final Reading yesterday. (See page 2356 of the Journal regarding LBs 111, 118, 129, 129A, 523, 556, 556A, 213, 318, 389, and 389A.)

Mr. President, I have an Attorney General's Opinion addressed to Senator Beutler regarding LB 472A. (See pages 2356 through 2358 of the Journal.)

Mr. President, I have a report from the Department of Administrative Services regarding lease approval.

Mr. President, new resolution, LR 192, offered by Senator Rumery. (Read LR 192 as found on pages 2358 and 2359 of the Legislative Journal.) That will be laid over, Mr. President.

Mr. President, LB 548 and 322 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 548 and LB 322. Before we get started with today's activities, the Chair would like to introduce fifteen students from across the whole State of Nebraska,

LR 146, 180, 188, 189,
191, 194-196

LB 111, 118, 138, 213, 216,
320, 472, 506, 506A, 512,
523, 551, 556, 556A

May 29, 1981

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer this morning by the Reverend John Schmeltzer, Associate Pastor of First Plymouth Congregational Church here in Lincoln.

REVEREND SCHMELTZER: 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: One little one, Mr. President, on page 2378, insert the contents of LR 194.

PRESIDENT: All right, the Journal will stand published as corrected. Any messages, reports or announcements?

CLERK: Mr. President, I have a series of items. Mr. President, I have several communications from the Governor addressed to the Clerk. (Read. Re.: LB 320, 472, 111, 118, 213, 216, 512, 523, 551, 553, 554, 556, 556A, LB 138, LB 506. See pages 2383-2384.)

Mr. President, I have a veto message from the Governor. (Read. Re.: LB 506A. See page 2385 of the Journal.)

Mr. President, I have an Attorney General's opinion addressed to Senator Beutler regarding LB 321; an opinion addressed to Senator Hoagland on LB 213. See pages 2385-2387 of the Journal.)

Mr. President, new resolutions, LR 195 by Senator Koch. (Read. See page 2387-2388.) And Mr. President, LR 196 offered by Senators Wesely, Hoagland, Fowler and Beutler. (Read. See pages 2388-2389.) Mr. President, finally LRs 146, 180, 188, 189, 191 and 194 are all ready for your signature.

PRESIDENT: While the Legislature is in session and capable of transacting business, I propose to sign and I do sign LR 146, LR 180, LR 188, LR 189, LR 191, LR 194. Anything further, Mr. Clerk?

CLERK: I have nothing further, Mr. President.

PRESIDENT: We will proceed then with agenda item #4, Final Reading on this final day of the 87th Legislature, first session. The Sergeant at Arms will secure the Chamber.