

January 6, 1982

title). LB 585 offered by Senator Warner. (Read title). LB 586 offered by Senator Wagner. (Read title). LB 587 offered by Senators Kremer, DeCamp, Wagner, Cope and Lamb. (Read title). LB 588 offered by Senator Wagner. (Read title). LB 589 offered by the Banking Committee and signed by its members. (Read title). LB 590 offered by Senators Kilgarin and Beutler. (Read title). LB 591 offered by Senator Landis. (Read title). LB 592 offered by Senator Lamb. (Read title). LB 593 offered by Senators Remmers and Richard Peterson. (Read title). LB 594 offered by Senator Landis. (Read title). LB 595 offered by Senator Fowler. (Read title). LB 596 offered by Senator Nichol. (Read title). LB 597 offered by Senator Nichol. (Read title). LB 598 offered by Senator Nichol. (Read title). LB 599 by Senator Nichol. (Read title). LB 600 by Senator Nichol. (Read title). LB 601 offered by Senator Nichol. (Read title). LB 602 offered by Senator Cullan. (Read title). LB 603 by Senator Cullan. (Read title). LB 604 offered by Senators Cope, Rumery and Fowler. (Read title). LB 605 offered by Senator Koch. (Read title). LB 606 offered by Senator Kremer. (Read title). LB 607 offered by Senator Howard Peterson. (Read title). LB 608 offered by Senator Howard Peterson. (Read title). LB 609 by Senator Marsh. (Read title). LB 610 introduced by Senator Howard Peterson and Senator Heffner. (Read title). LB 611 offered by Senator Kahle. (Read title). LB 612 offered by Senator Pirsch. (Read title). LB 613 offered by Senator Pirsch. (Read title). LB 614 offered by Senator Fowler. (Read title). LB 615 offered by Senator Burrows. (Read title). LB 616 offered by Senator Fenger. (Read title). LB 617 offered by Senator Stoney. (Read title). (See pages 77-88 of the Journal).

Mr. President, I have two new A bills, LB 404A offered by Senator Fowler. (Read title). And LB 604A offered by Senators Cope, Rumery and Fowler. (Read title). (See page 88 of the Journal).

Mr. President, I have a series of items to read into the record. Senator Koch would like to be excused January 7 and 8.

Mr. President, Senator Fowler would like to print amendments to....I am sorry, Senator Pirsch would like to print amendments to LB 465. (See pages 89 through 91 of the Legislative Journal). Senator Fowler to print amendments to LB 458. (See pages 91 through 93 of the Journal). Senator Rumery would like to print amendments to LB 287. (See pages 93 through 94 of the Journal). Senator Newell would like to print amendments to LB 131. (See page 95 of the Journal).

February 22, 1982

LB 429, 599, 601, 610, 702,
732, 748, 765, 808, 809,
834, 854, 864, 869, 937, 959

SENATOR NICHOL: Senator Clark, did you wish to close, please?

SENATOR CLARK: Mr. President, I would move that the bill be advanced to E & R. I think that Senator Newell might have an amendment on for Select File. Is that right, Senator Newell? Alright, then I would move the bill be advanced.

SENATOR NICHOL: The question is, shall LB 702 be advanced. All those in favor vote aye, opposed no.

CLERK: Senator Nichol voting yes.

SENATOR NICHOL: Record, Mr. Clerk.

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

SENATOR NICHOL: The bill is advanced. I would like to announce that Senator Don Wesely has some guests under the North balcony, Brad Pennington, Marty Walters, John Ahrends, all from Robin Mickle Junior High School in Lincoln, Nebraska. Would you please welcome them to our Legislature. Mr. Clerk, do you have something you would like to say?

CLERK: Something I must say, Senator. Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 834 and recommend that same be placed on Select File and that is signed by Senator Kilgarin as Chair. (See page 804 of the Journal.)

Your committee on Business and Labor whose chairman is Senator Barrett reports LB 765 advanced to General File with committee amendments; 599 indefinitely postponed; 610 indefinitely postponed; 732 indefinitely postponed; 864 indefinitely postponed; 937 indefinitely postponed and 959 indefinitely postponed, all signed by Senator Barrett as Chair. (See pages 804-805 of the Legislative Journal.)

Your committee on Government, Military and Veterans Affairs reports LB 601 advanced to General File; 748 General File and 854 General File with committee amendments attached. Those are signed by Senator Kahle as Chair. (See page 805 of the Legislative Journal.)

Your committee on Miscellaneous Subjects reports LB 808 advanced to General File; 809 General File; 869 General File; 429 indefinitely postponed, all signed by Senator Hefner as Chair. (See page 805 of the Legislative Journal.)

March 25, 1982

LB 601, 743

administered type of statute to identify true agricultural land to qualify for Green Belt assessment. I move the bill be advanced.

SPEAKER MARVEL: The motion is to advance the bill. All those in favor of that motion as explained by Senator Warner vote aye, opposed vote no. Record.

CLERK: 30 ayes, 0 nays on the motion to advance the bill, Mr. President.

SPEAKER MARVEL: The motion is carried. The bill is advanced. The next one is 601.

CLERK: LB 601 offered by Senator Nichol. (Read title.) The bill was read on January 6th, referred to Government, Military and Veterans Affairs. The bill was advanced to General File, Mr. President. I have no amendments on the bill.

SPEAKER MARVEL: The motion is the advance of 601, and, Senator Nichol, you need to explain your bill.

SENATOR NICHOL: Thank you, Mr. President. This bill involves the composition of the County Planning Commissions. The members of a County Planning Commission are appointed by the county board and the primary focus of the County Planning Commission is with lands which lie outside of the incorporated areas in the county. When a county board appoints members of the County Planning Commission, current law requires that no more than two of the members serving on the commission shall be from incorporated areas in the county. This bill would strike the requirement that only two members may be from incorporated areas and inserts instead the requirement that a majority of the commission members be from unincorporated areas of the county. The law as it now exists places no limits on the size of County Planning Commissions. City planning commissions, for example, are limited by statute to consist of nine members. When a county forms a planning commission, it could if it wanted have the commission consist of ten, fifteen, twenty members, three, yet only two by law could come from incorporated areas in the county. This bill would provide that whatever size of the County Planning Commission, there could be no more...excuse me, this bill provides that whatever the size of the County Planning Commission, there could be more than two members from incorporated areas. The members who are from unincorporated areas of the county would still remain a numerical majority of the commission

March 25, 1982

LB 601

members. With that, Mr. President, I would move for the advancement of LB 601.

SPEAKER MARVEL: Senator Newell, your light is on.

SENATOR NEWELL: I have a question of Senator Nichol. Senator Nichol, does this pertain to all counties in the state?

SENATOR NICHOL: Yes, I believe it does.

SENATOR NEWELL: How does that work when you have a joint committee, planning committee like you have in Lancaster County?

SENATOR NICHOL: Well, I believe...I am not acquainted too well with your situation, but don't you have (interruption).

SENATOR NEWELL: Well, this is Douglas County and I am talking about Lancaster County.

SENATOR NICHOL: Okay, you have a City Planning Commission and a County Planning Commission?

SENATOR NEWELL: They are a joint planning commission.

SENATOR NICHOL: Well, they usually work together then in that situation.

SENATOR NEWELL: Well, that means that the requirement would be that a majority of that combined committee would have to be from the unincorporated areas of the county?

SENATOR NICHOL: No, we are not addressing that. What we are addressing are counties which have a County Planning Commission not coordinated with city plans, planning commissions.

SENATOR NEWELL: Not coordinated with....okay. In other words, those that have a joint commission would be exempted.

SENATOR NICHOL: That's right.

SENATOR NEWELL: They would not be covered under this bill. This is only for those counties that have county only planning commissions.

SENATOR NICHOL: Well, yes, they would have a County Planning Commission, however, in that same county they could have

March 5, 1982

LB 601, 809

City Planning Commissions but not coordinated.

SENATOR NEWELL: I understand that. Okay. I would like to ask one other question. Did...is the County Officials Association in favor of this bill?

SENATOR NICHOL: I believe that they are.

SENATOR NEWELL: Did they testify that they have or have you been given information that they are in support of it?

SENATOR NICHOL: Yes, I believe that they did.

SENATOR NEWELL: And you don't know what my own county, Douglas County's position on this legislation is, do you?

SENATOR NICHOL: I would have to look it up and I don't know that they even appeared.

SENATOR NEWELL: Well, at this point in time I see I will not oppose the bill although I reserve the right to figure it out and talk to you about it on Select File.

SPEAKER MARVEL: Senator Nichol, do you wish to close?

SENATOR NICHOL: Mr. President, only to say that this would leave it so that the majority of the members of the County Planning Commission would be from the rural area. However, it would allow more than two members of the Commission to be from the cities or towns as you might put it that way. So it still is fair but what has been happening is that when they have large numbers on the Commission with only two being from the city or cities or towns, they are greatly in the minority. They will still be in the minority no matter what, but in some cases some of the people wish to serve and they could not because of the numerical proportion in the bill...in the law.

SPEAKER MARVEL: The motion is to advance LB 601 as explained by Senator Nichol. All those in favor of that motion vote aye, opposed vote no. Record the vote.

CLERK: 30 ayes, 0 nays, Mr. President, on the motion to advance the bill.

SPEAKER MARVEL: The motion is carried. The bill is advanced. Item LB 809.

CLERK: LB 809 offered by Senator Stoney. (Read title.) The bill was read on January 13, referred to Miscellaneous

LB 577, 579, 601, 605, 642, 644, 651, 662,
677, 678, 696, 697, 718, 718, 719, 720,
728, 729, 739, 743, 764, 767, 767A, 775,
776, 778, 784, 792, 796, 807, 824, 825,
828, 839, 845, 869, 877, 890, 892, 931,
941, 951, 952, 961, 962

March 9, 1982

SPEAKER MARVEL PRESIDING

REV. MORRIS VENDEN: Prayer offered.

SPEAKER MARVEL: If I could have your attention for a moment before we proceed. The chairmen had a meeting today and it was agreed that we would attempt to control debate as we have not done too well in the last few months and that we would try, for instance, with 652 to have the debate and the vote on advancement after one hour and that we try to have the pros and the cons of these issues so it doesn't take forever to get the point across. This time we're in a position where we either try to limit debate or many of the other issues will simply go down the drain. So the Chair would appreciate, the chairmen would appreciate your cooperation in trying to give people an opportunity on both sides and not spend all day in the discussion. Record.

CLERK: There is a quorum present, Mr. President. Yes, sir, I do have some items to read in. Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined and engrossed LB 579 and find the same correctly engrossed; 662 correctly engrossed; 677 correctly engrossed; 718 correctly engrossed; 719 correctly engrossed; 728, 729 correctly engrossed; 764 correctly engrossed and 778 correctly engrossed. (See page 1060 of the Journal.)

Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 720 and recommend that same be placed on Select File with amendments; 767 Select File with amendments; 767A Select File; 807 Select File with amendments; 941 Select File; 877 Select File; 577 Select File; 792 Select File; 605 Select File; 931 Select File with amendments; 796 Select File; 845 Select File; 644 Select File; 739 Select File; 696 Select File; 828 Select File; 642 Select File; 678 Select File; 775 Select File; 776 Select File; 951 Select File; 961 Select File; 952 Select File; 784 Select File; 651 Select File; 716 Select File with amendments; 743 Select File; 601 Select File; 869 Select File with amendments; 697 Select File; 825 Select File; 892 Select File; 962 Select File with amendments; 839 Select File and 890 Select File with amendments. Those are all signed by Senator Kilgarin as Chair, Mr. President. (See pages 1057-1059 of the Legislative Journal.)

Mr. President, I have a motion from Senator Labeledz to place LB 824 on General File pursuant to Rule 3, Section 18(b). That will be laid over pursuant to our rules, Mr. President.

SPEAKER MARVEL: Okay, we go to item #4 and we're talking about LB 924 and I would caution you to do your best to get

March 11, 1982

LB 601, 651, 697,
784, 961, 962

SENATOR KILGARIN: I move we advance LB 961.

PRESIDENT: Motion is to advance LB 961 to E & R for Engrossment. Any discussion? All those in favor signify by saying aye. Opposed nay. Motion carries and LB 961 is advanced to E & R for Engrossment. LB 784. Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 784.

PRESIDENT: Motion is to advance LB 784 to E & R for Engrossment. Any discussion? All those in favor signify by saying aye. Opposed nay. LB 784 is advanced to E & R for Engrossment. LB 651, Senator Kilgarin. Senator Kilgarin, 651, right.

SENATOR KILGARIN: I move we advance LB 651.

PRESIDENT: Motion is to advance LB 651 to E & R for Engrossment. Any discussion? If not, all those in favor signify by saying aye. Opposed nay. LB 651 is advanced to E & R for Engrossment. LB 743 has been taken off of the Speaker's list. LB 601 is then next, Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 601.

PRESIDENT: Motion to advance LB 601 to E & R for Engrossment. Any discussion? All those in favor signify by saying aye. Opposed nay. LB 601 is advanced to E & R for Engrossment. The next bill is....LB 859 has been deleted, and the next bill is LB 697, Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 697.

PRESIDENT: Motion is to advance LB 697 to E & R for Engrossment. Any discussion? All those in favor signify by saying aye. Opposed nay. LB 697 is advanced to E & R for Engrossment. LB 825 has also been deleted. The next bill then is LB 962. Senator Kilgarin.

SENATOR KILGARIN: I move the E & R amendment to LB 962.

PRESIDENT: Motion is to adopt the E & R amendments on LB 962. Any discussion? All those in favor of adopting the E & R amendment on LB 962 signify by saying aye. Opposed nay. The E & R amendments are adopted. Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 962.

March 15, 1982

LR 251
LB 961, 962
LB 839, 868, 877, 931, 941, 951,
LB 378, 435, 577, 601, 609, 634,
LB 651, 697, 716, 774, 784, 792

CLERK: Mr. President, very quickly, Senator Landis would like to print amendments to LB 868.

A new resolution, LR 251, offered by Senator Wesely. (Read.) (See paged 1176, Legislative Journal.) That will be laid over, Mr. President.

Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined engrossed LB 378 and find the same correctly engrossed, 609, 634, 435, 577, 601, 651, 697, 774, 716, 784, 792, 839, 877, 931, 941, 951, and 961, and 962 all correctly engrossed. And that is all that I have, Mr. President.

SENATOR CLARK: Senator Stoney.

SENATOR STONEY: Mr. President, I would move that we adjourn until 9:00 a.m., March 16th, 1982.

SENATOR CLARK: You heard the motion. All those in favor say aye, opposed. We are adjourned until nine o'clock tomorrow morning.

Edited by Arleen McCrory
Arleen McCrory

March 19, 1982

LB 577, 601

revenues in mind. It is possible that there would be fees that are high enough to generate revenues. That would probably be the type of revenue that we would be talking about, charges to the water users. Those charges would go back in to pay for the revenue bonds. Conceivably at some point in time there could be charges for groundwater recharge for people who are not directly using the water but who are indirectly benefiting from the water, and those revenues could go back into the payment of the principal interest of the bonds. Those would be the two principle types of payments that I know of right now.

SENATOR V. JOHNSON: Okay, let me ask you this then, Senator Beutler, I assume then...now is there anything about this amendment which would authorize the state to issue any kind of bonds for the construction of dams that would be supported by any funds other than the revenues that you just described?

SENATOR BEUTLER: It is certainly not my personal intention to provide anything beyond the revenues directly derived from the project.

SENATOR V. JOHNSON: All right, thank you very much. Mr. Clerk, in that case I would ask unanimous consent to withdraw my motion.

SENATOR CLARK: It is withdrawn. The Clerk will read 577, constitutional amendment.

CLERK: (Read LB 577 on Final Reading.)

SENATOR CLARK: All provisions of law according to procedure having been complied with, the question is, shall the bill pass? This will require 30 votes. Voting aye.

CLERK: Senator Clark voting yes.

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

CLERK: (Read the record vote as found on page 1285 of the Legislative Journal.) 38 ayes, 4 nays, 6 excused and not voting...7 excused and not voting, Mr. President.

SENATOR CLARK: The bill is declared passed on Final Reading. LB 601.

CLERK: (Read LB 601 on Final Reading.)

SENATOR CLARK: All provisions of law according to procedure

March 19, 1982

LB 601, 623, 634

having been complied with, the question is, shall the bill pass? All those in favor vote aye, opposed vote nay. Have you all voted? Record the vote.

CLERK: (Read the record vote as found on pages 1285 and 1286 of the Legislative Journal.) 42 ayes, 0 nays, 7 excused and not voting, Mr. President.

SENATOR CLARK: The bill is declared passed on Final Reading. We cannot read the next bill as there has been an A bill introduced. 623 will be next.

CLERK: (Read LB 623 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. Voting aye.

CLERK: Senator Clark voting yes.

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

CLERK: (Read the record vote as found on pages 1286 and 1287 of the Legislative Journal.) 41 ayes, 2 nays, 6 excused and not voting, Mr. President.

SENATOR CLARK: The bill is declared passed on Final Reading. The Clerk will now read 634, constitutional amendment.

ASSISTANT CLERK: (Read LB 634 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. It requires 30 votes.

ASSISTANT CLERK: Senator Clark voting no.

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

ASSISTANT CLERK: (Read the record vote as found on pages 1288 and 1289 of the Legislative Journal.) The vote is 31 ayes, 11 nays, 6 excused and not voting, Mr. President.

SENATOR CLARK: The bill is declared passed. I would like to introduce Janice Garrett, Donna LeMars and Lynn Fossinger. They are in the WIFE organization. They are guests of Senator Kahle. They are in the north balcony. Will you stand and be recognized, please? I wish their names were

LR 270

LB 127, 259, 601, 611, 623, 642, 644,
647, 651-2, 659, 678, 696-7, 700,
716, 724, 757, 767-7A, 774-776,
779, 784, 792, 816, 828, 839, 845,
877, 931, 941, 951, 961-2, 705

March 29, 1982

Mr. President, three communications from the Governor addressed to the Clerk. (Read. Re: LBs 775, 776, 601, 623, 651, 659, 697, 705, 716, 724, 774, 779, 784, 792, 839, 877, 931, 941, 951, 961, 962, 259, 642, 644, 678, 696, 828, 845, 767, 767A. See pages 1415 and 1416, Legislative Journal.)

Mr. President, I have a series of Attorney General's opinions. The first is to Senator Vickers regarding LB 647; one to Senator Wesely regarding LB 700; a third to Senator Hefner regarding LB 611; a fourth to Senator Haberman regarding LB 127; and a fifth to Senator Carsten regarding LB 816. All of those will be inserted in the Legislative Journal.

Mr. President, a new resolution, LR 270 offered by Senator Newell. (Read. See pages 1424 and 1425, Legislative Journal.) That will be laid over pursuant to our rules, Mr. President.

Finally, Mr. President, Senator Wiitala asks unanimous consent to remove his name as cosponsor from an amendment to LB 652, Request 2652.

SENATOR CLARK: Is there any objection? So ordered.

CLERK: That is all that I have, Mr. President.

SENATOR CLARK: All right, is Senator Koch here? I think we will go ahead and pass over Senator Koch's request here until he arrives. We will go to item #5 on General File, the priority bills, the revenue priorities, 757 is the first bill.

CLERK: Mr. President, LB 757 introduced by the Speaker at the request of the Governor. (Read title.) The bill was read on January 11 of this year, referred to the Revenue Committee for public hearing. The bill was advanced to General File, Mr. President.

SENATOR CLARK: Senator Carsten.

SENATOR CARSTEN: Mr. President and members of the Legislature, in the absence of Senator Marvel I suspect that I should take the bill. The bill is very straightforward. There is no committee amendment. It is in its original form to reduce the minimum of the overlevy or cushion from 3% to 2%. It was a recommendation from the Governor in a bill that he had introduced by Senator Marvel and I would move that it be moved from General File to E & R Initial.

SENATOR CLARK: We have a motion on the desk.