

January 6, 1982

LB 618 - 645

PRESIDENT: The Legislature will stand at Ease for about five minutes. We have a few more bills to get in and we would like to get them in at this point. So the Legislature will stand at Ease for five minutes.

EASE

PRESIDENT: The Clerk will proceed with the reading of new bills.

CLERK: Mr. President, new bills. LB 618 offered by Senator DeCamp. (Read title). LB 619 offered by Senator DeCamp. (Read title). LB 620 offered by Senator DeCamp. (Read title). LB 621 offered by Senator DeCamp. (Read title). LB 622 offered by Senator DeCamp. (Read title). LB 623 offered by Senator DeCamp. (Read title). LB 624 by Senator DeCamp. (Read title). LB 625 by Senator DeCamp. (Read title). LB 626 offered by Senator DeCamp. (Read title). LB 627 offered by Senators DeCamp and Kilgarin. (Read title). LB 628 offered by Senators DeCamp, Koch and Vickers. (Read title). LB 629 offered by Senator DeCamp. (Read title). LB 630 offered by Senator Newell. (Read title). LB 631 offered by Senators Von Minden, Hefner and Goll. (Read title). LB 632 offered by Senators Wesely, Remmers and Rumery. (Read title). LB 633 offered by Senator Clark. (Read title). LB 634 offered by Senator Newell. (Read title). LB 635 offered by Senator Kahle. (Read title). LB 636 offered by Senator Warner. (Read title). Mr. President, new bills. LB 637 offered by Senator Vickers. (Read title). LB 638 offered by Senator Koch. (Read title). LB 639 offered by Senator Wiitala. (Read title). LB 640 offered by Senator Wiitala. (Read title). LB 641 offered by Senator Wiitala. (Read title). LB 642 offered by Senator Wiitala. (Read title). LB 643 offered by Senator Wiitala. (Read title). LB 644 offered by Senator Vickers. (Read title). Mr. President, LB 645 introduced by Senator Kilgarin. (Read title). (See pages 95 through 100 of the Legislative Journal).

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: The Chair recognizes Senator Wesely, Chairman of the Rules Committee, to proceed with item #10. I would respectfully remind the Legislature once again that we need to keep moving in order to remove some of the roadblocks, and if we don't they are going to be there as big as life itself. The Chair recognizes Senator Wesely.

SENATOR WESLEY: I move the adoption of permanent rules for this legislative session.

January 26, 1982

LB 378, 32A, 359, 574, 630,
631, 728

LB 378 to E & R initial. All those in favor vote aye, opposed nay. Have you all voted? Record the vote.

CLERK: 26 ayes, 11 nays, Mr. President.

PRESIDENT: The motion carries. LB 378 is advanced to E & R initial. Alright, the Clerk will read some matters into the record.

CLERK: Mr. President, your committee on Revenue whose Chairman is Senator Carsten reports LB 630 advanced to General File; LB 631 advanced to General File with amendments, and LB 728 advanced to General File with amendments, all signed by Senator Carsten. (See page 418 of the Legislative Journal).

Your committee on Urban Affairs whose Chairman is Senator Landis reports LB 574 as indefinitely postponed. That is signed by Senator Landis.

Senator Vickers makes a motion to withdraw LB 32A. That will be laid over pursuant to our rules.

Your committee on Public Works gives notice of hearing in Room 1517 for February 11, 18, 19, 24 and 25. That is signed by Senator Kremer as Chairman.

PRESIDENT: Okay, we are ready then for the next bill on General File, LB 359, Mr. Clerk.

CLERK: Mr. President, LB 359 offered by Senator Newell. (Read title). The bill was first read on January 19 of last year. At that time it was referred to the Urban Affairs Committee for public hearing. The bill was advanced to General File, Mr. President. There are committee amendments pending by the Urban Affairs Committee.

PRESIDENT: The Chair recognizes Senator Landis.

SENATOR LANDIS: If I could have the attention of the Chair and the body, I would like to apprise you that we have had due to some problems in bill drafting, the committee amendments that sprang from the hearing that we held about a week ago are held up. But we have as a committee acted on those amendments to the approval of the unanimous committee and to the approval of Senators Newell and Hoagland. And although I want us to act today on LB 359, I guess I have to tell you what the committee amendments are and indicate to you that they will be available for passage on Select File. They, in fact, constitute substitute committee amendments, and so let me outline what I think we need to do and how to proceed. We had amendments introduced this session to change LB 359. As a courtesy to the members of the committee and in furtherance of good policy we sent it

CLERK: Mr. President, LB 630 offered by Senator Newell. (Read title.) The bill was read on January 6th of this year, referred to Revenue. The bill was advanced to General File. I have no amendments on the bill, Mr. President.

SENATOR NEWELL: There is an amendment. Mr. President, members of the body, I will explain either briefly or in some detail what this bill does. LB 630 is the Land Reutilization Authority, it is the Land Reutilization Authority of which there is one in the state. It is located in Douglas County. The land reutilization authority deals with land that for reasons that are rather unique to Douglas County for some reason has been abandoned by the owners of the property. They have not paid their taxes. There is a process of tax foreclosure, a process of tax foreclosure but for reasons that are unique to this kind of property, it is usually an area where there isn't much of a market value. There is a period of time when we can't sell it, and then after a period of years, two or three years, we have developed taxes on it again because only taxes up to the tax foreclosure are excused and we still can't sell it. It becomes the taxes are greater than the actual value of the land and, basically, this bill would allow the LRA to basically take taxes that have accumulated after the sheriff's sale and basically exempt those and sell the land for the fair market value. Now basically here is what has happened or I will tell you basically what is the situation in Douglas County. For approximately a little over five hundred parcels of land that the LRA sells, they have very little interest in anyone buying them. The only kinds of people that buy some of this land is a neighbor who for some reason wants a little garden or those kinds of things. They are not going to pay a great deal of money for a lot that used to have a house on it that has been destroyed and so what they do instead is they go to the LRA, they say, okay, I will buy this land, I will pay taxes on it but I am not going to pay the \$2,000 in back taxes and/or assessments that are levied against this property and, consequently, they say the lot is worth the \$200 but it is not worth the \$2000 or \$500 or whatever, and for that reason this bill is necessary to allow Douglas County to get rid of those parcels of land which hertofore have not sold.

SPEAKER MARVEL: As per Senator Newell's explanation, the first motion is the adoption of the emergency clause. All those in favor of that motion vote aye, opposed vote no. The emergency clause to LB 630, have you all voted? Record.

CLERK: 25 ayes, 0 nays on adoption of the emergency clause, Mr. President.

February 3, 1982

LB 630, 728

SPEAKER MARVEL: Motion is carried. The emergency clause is adopted. The motion is to advance the bill as amended. All those in favor of that motion vote aye, opposed vote no. Have you voted? The motion before the House is the adoption of the emergency clause and then the bill as voted on...record the vote.

CLERK: 26 ayes, 1 nay, Mr. President, on motion to advance the bill.

SPEAKER MARVEL: Motion is carried. The bill is advanced. Next bill is LB 630. I am sorry, LB 728.

CLERK: Mr. President, LB 728 offered by Senator Clark. (Read title.) The bill was read on January 8th of this year. It was referred to the Revenue Committee for public hearing. The bill was advanced to General File. Mr. President, there are committee amendments pending offered by Senator Carsten's Revenue Committee.

SPEAKER MARVEL: The Chair recognizes Senator Carsten.

SENATOR CARSTEN: Mr. President, members of the Legislature, the committee amendment is only the addition of the emergency clause, and even though the statutes are now obsolete, a provision that the warehouses must file a \$10,000 bond with the commissioner is still technically law so we needed this emergency clause on the bill to make it complete. I move for the adoption of the committee amendment.

SPEAKER MARVEL: The motion is the adoption of the committee amendments to 728 as explained by Senator Carsten. All those in favor of the adoption of the amendments vote aye, opposed vote no. Have you all voted? We are voting on the adoption of the committee amendments. Record.

CLERK: 26 ayes, 0 nays on the adoption of the committee amendments, Mr. President.

SPEAKER MARVEL: Motion is carried. The amendments are adopted. Senator Clark.

SENATOR CLARK: Mr. President, members, what this bill does is to take out what was known as the freeport law. It is absolutely obsolete at the present time. It also takes out the bondedness that you have to give to the Public Service Commission, a \$10,000 bond, to insure that you are going to pay the personal property tax of which there is none at the present time. That is all the bill does. It deletes a statute. It has been through the Revenue Com-

February 5, 1982

PRESIDENT: The motion carried. The DeCamp amendment is adopted. Any further amendments, Mr. Clerk?

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

PRESIDENT: Senator DeCamp. Alright the motion is to advance the bill. Any further discussion? All those in favor of advancing LB 274 signify by saying aye, opposed nay. LB 274 is advanced to E & R for engrossment. The next bill is 274A, Mr. Clerk. The Clerk will read some matters into the record and then we will take up 274A.

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports that they have carefully examined and reviewed LB 692 and recommend that same be placed on Select File with amendments; 628 Select File with amendments; 630 Select File with amendments; 728 Select File with amendments, all signed by Senator Kilgarin. (See pages 564-565 of the Legislative Journal.)

Mr. President, your committee on Education whose chairman is Senator Koch to whom is referred LB 650 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendments; LB 652 General File with amendments and LB 817 from the Urban Affairs Committee advanced to General File; LB 727 indefinitely postponed and LB 820 indefinitely postponed. Those are signed by their respective chairmen. (See pages 567-568 of the Legislative Journal.)

Mr. President, I have on 274A an amendment offered by Senator DeCamp to the bill.

PRESIDENT: Alright, Senator DeCamp, we are ready for your amendment to LB 274A.

SENATOR DeCAMP: Mr. President, the amendment is nothing more than the compliance with the new rules brought to me by the representative from the fiscal office or whoever hauls those things out and I put it up there. So we are going to spend the money that we are going to collect, Senator Warner says. In other words you collect money from them and then you spend it.

PRESIDENT: Any discussion on the DeCamp amendment to LB 274A? If not, the question then is the adoption of the DeCamp amendment to LB 274A. All those in favor vote aye, opposed nay. Have you all voted? Record the vote.

CLERK: 25 ayes, 0 nays, Mr. President, on adoption of the DeCamp amendment.

March 4, 1982

LB 628, 630

and in the event it is successful, I intend to support the remaining language in the Peterson amendment which enunciates rules to be followed with respect to pregnancy and marital status and what the appropriate rules for a school to enact in that situation. That language is very satisfactory from my point of view and by passing this amendment we will make that language accessible and something that we can support.

SENATOR CLARK: The question before the House is the adoption of the Landis amendment. All those in favor vote aye, opposed vote nay. We are voting on the Landis amendment. Record the vote.

ASSISTANT CLERK: 26 ayes, 0 nays on the adoption of the Landis-DeCamp amendment.

SENATOR CLARK: The Landis-DeCamp amendment is adopted. Do you have anything further on the bill? We will go to the Peterson amendment now as amended. There is no other amendments on that. Senator Peterson.

SENATOR PETERSON: Then I would move the amendment. I believe we have had enough discussion. We can go ahead and advance the amendment and pass on (interruption).

SENATOR CLARK: The question before the house if there is no further discussion is the adoption of the Peterson amendment as amended. All those in favor vote aye, opposed vote nay. Voting aye. Record the vote.

ASSISTANT CLERK: 34 ayes, 0 nays on the Peterson amendment as amended.

SENATOR CLARK: The Peterson amendment as amended is adopted. Anything further on the bill?

ASSISTANT CLERK: I have nothing further, Mr. President.

SENATOR CLARK: The question is the advancement of 628. Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 628.

SENATOR CLARK: You heard the motion. All those in favor say aye, opposed. The bill is advanced. LB 630.

ASSISTANT CLERK: Mr. President, there are E & R amendments to LB 630.

March 4, 1982

LB 630, 654, 728, 829

SENATOR CLARK: Senator Kilgarin.

SENATOR KILGARIN: I move the E & R amendments to LB 630.

SENATOR CLARK: The motion is to adopt the E & R amendments on 630. All those in favor say aye. Opposed. The amendments are adopted.

ASSISTANT CLERK: I have nothing further on the bill.

SENATOR CLARK: Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 630.

SENATOR CLARK: The move is to advance LB 630. All those in favor say aye. Opposed. The bill is advanced. LB 728.

ASSISTANT CLERK: Mr. President, I do have E & R amendments.

SENATOR CLARK: Senator Kilgarin.

SENATOR KILGARIN: I move the E & R amendments to LB 728.

SENATOR CLARK: You have heard the motion. All those in favor say aye. Opposed. The amendments are adopted. Anything further?

ASSISTANT CLERK: I have nothing further on the bill.

SENATOR CLARK: Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 728.

SENATOR CLARK: You have heard the motion. All those in favor say aye. Opposed. The bill is advanced. LB 654.

ASSISTANT CLERK: Mr. President, I have no E & R amendments. I have nothing else on the bill.

SENATOR CLARK: Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 654.

SENATOR CLARK: The motion is to advance LB 654. All those in favor say aye. Opposed. The bill is advanced. LB 829.

ASSISTANT CLERK: There are E & R amendments, Mr. President.

SENATOR KILGARIN: I move the E & R amendments to LB 829.

March 10, 1982

LB 127, 127A, 421, 606, 630,
654, 692, 703, 801, 824, 829

PRESIDENT LUEDTKE PRESIDING

REV. JOHN MINERT: Prayer offered.

PRESIDENT: Roll call. Has everyone registered your presence now? 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: I have no corrections, Mr. President.

PRESIDENT: The Journal will stand correct as published then. Any other messages, reports or announcements?

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 127 and find the same correctly engrossed; 127A, 606, 630, 654, 692, 703, 801 and 829 all correctly engrossed. Those are signed by Senator Kilgarin as Chair.

Mr. President, your committee on Public Works whose chairman is Senator Kremer reports LB 824 as indefinitely postponed. That is signed by Senator Kremer.

PRESIDENT: We'll start with the agenda then on agenda item... we're going to reverse the items #4 and #6 according to Speaker Marvel and we'll start with agenda #6, motions, LB 421, Mr. Clerk.

CLERK: Mr. President, Senator DeCamp would move to reconsider the vote on Final Reading of LB 421. Senator DeCamp offered his motion on March 3. It can be found on page 941 of the Legislative Journal.

PRESIDENT: The Chair recognizes Senator DeCamp.

SENATOR DeCAMP: Mr. President, people in this body are very concerned about health costs. Any time there is fraud or payment of a claim that is improper that costs everybody, whether it is for a drug abuse situation, whether it's for error through payment that shouldn't have been made, it costs everybody, not the insurance company, we all pay for it. This bill is designed to try to correct that particular problem in Nebraska. There were some reservations by some members, Senator Landis and some of the attorneys that there was some language that wasn't clear enough. Maybe that's the reason the bill failed, maybe the fact that several members were absent that day, whatever. I would

March 17, 1982

LB 606, 630, 654

ASSISTANT CLERK: Read LB 606.

SENATOR CLARK: All provisions of law relative to procedure having been complied with, the question is, shall the bill pass. All those in favor vote aye, opposed vote no.

ASSISTANT CLERK: Senator Clark voting yes.

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

ASSISTANT CLERK: 44 ayes, 0 nays, 4 excused and not voting, 1 present and not voting. Vote appears on page 1218 of the Legislative Journal.

SENATOR CLARK: The bill is declared passed on Final Reading. I'd like to introduce eleven seniors from Lexington, St. Anne's School in Lexington, Nebraska, Senator Barrett's district. They are in the north balcony. The teacher is Roger Lucas. Will you stand and be recognized please. Welcome to the Unicameral. I'd like to explain to you we are on Final Reading at the present time. The Constitution requires that we read every bill in their entirety. It is very boring to you, I'm sure, but if you stick around, later you will get more action. The Clerk will now read 630 with the emergency clause.

ASSISTANT CLERK: Read LB 630.

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

ASSISTANT CLERK: Senator Clark voting yes.

SENATOR CLARK: Record the vote.

ASSISTANT CLERK: 43 ayes, 1 nay, 4 excused and not voting, 1 present and not voting. Vote appears on pages 1218-19 of the Legislative Journal.

SENATOR CLARK: The bill is declared passed with the emergency clause attached on Final Reading. The Clerk will now read 654.

ASSISTANT CLERK: Mr. President, I have a motion on the desk from Senator Lamb, but I understand he wishes to withdraw that.

SENATOR CLARK: All right, it is withdrawn.

ASSISTANT CLERK: Read LB 654.

March 18, 1982

LR 243
LB 202, 267, 449, 579, 606, 628, 630,
654, 662, 692, 702-703, 717-719,
728-729, 778, 801, 829, 852

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by LeRoy Hofker, Treasurer of Gideons International, the bible distribution society, from Lincoln, Nebraska.

LeROY HOFKER: (Prayer offered).

PRESIDENT: Roll call. Have you all registered your presence so we can get underway? Senators Wagner and Fowler, if you would go over there to the desk and push that button, we could get underway. Senator Higgins, if you will push that button, I will show you are here. Okay, have you all registered your presence? 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: I have no corrections this morning, Mr. President.

PRESIDENT: The Journal will stand as published. Any messages, reports or announcements?

CLERK: Mr. President, LBs 267, 702, 717, 449, 579, 662, 718, 719, 728, 729, 778, 606, 630, 801, 703, 692, 654, and 829 are ready for your signature; as is LR 243.

PRESIDENT: While the Legislature is in session and capable of doing business, I propose to sign and I do sign LB 267, 702, 449, 579, 662, 718, 719, 728, 729, 778, 606, 630, 654, 692, 703, 801, and 829.

CLERK: Mr. President, Senator Wagner would like to print amendments to LB...I am sorry, Senator Wesely, to print amendments to LB 852.

And Senator Chambers would move to reconsider the vote to indefinitely postpone LB 202. That will be laid over.

PRESIDENT: Okay, so ordered. We are ready then for Final Reading. The Sergeant at Arms will secure the Chamber, all members will return to your desks, and all other people will leave the floor of the Legislature. We are ready for Final Reading. All right, Mr. Clerk, I guess we are all in place so let's proceed with the reading of LR 628 on Final Reading.

CLERK: (Reading of LB 628 on Final Reading.)

LB 69, 267, 359, 435, 449, 579, 606, 628,
630, 654, 662, 692, 702, 703, 717, 718,
719, 722, 728, 729, 778, 782, 801, 829

March 22, 1982

PRESIDENT: The amendment is adopted. We are going to stop now and recess until 1:30 and then we will come right back onto this bill. Senator Nichol, would you like to recess us until 1:30. We have one communication to read in.

CLERK: Mr. President, engrossed LBs 267, 359, 435, 449, 579, 606, 628, 630, 654, 662, 692, 702, 703, 717, 718, 719, 722, 728, 729, 778, 782, 801, 829 and 69 were signed by the Governor on March 19 and delivered to the Secretary of State.

SENATOR NICHOL: Mr. Chairman, I move we recess until 1:30 this afternoon.

SENATOR CLARK: You have heard the motion. All those in favor say aye. Opposed. We are recessed until 1:30.

Edited by:

Marilyn Zank
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