

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.

February 10, 1982

LB 264, 309, 347, 403, 418, 542  
563-66, 572, 579, 642, 659, 677  
703, 705, 718, 719, 722, 724,  
764, 774, 778, 779, 797, 852,  
879, 606, 32, 229, 490, 492

SPEAKER MARVEL PRESIDING

RABBI BISMAN: Prayer offered.

SPEAKER MARVEL: Item #2, roll call. Please record your presence. Record your presence. Pat, do you want to record.

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

SPEAKER MARVEL: Do you have anything under #3?

CLERK: Mr. President, I have several items. First of all I have a reference report referring LR 218 to the Banking Committee for public hearing.

Mr. President, a communication from the Governor addressed to the Clerk. (Read communication re: 264, 309, 347, 403, 418, 563, 564, 565, 566 and 572 as found on page 613 of the Legislative Journal.)

A second communication. (Read re. LB 542.) And a third, Mr. President, from the Governor addressed to the Clerk. (Read re. 32, 229, 490 and 492. See pages 613-614 of the Legislative Journal.)

Mr. President, your committee on Education whose chairman is Senator Koch reports LB 642 advanced to General File; LB 774 advanced to General File; LB 797 advanced to General File with amendments. Those are signed by Senator Koch.

Your committee on Public Works whose chairman is Senator Kremer offers a corrected statement to LB 852. (See pages 614-615 of the Legislative Journal.)

Mr. President, your committee on Government, Military and Veterans Affairs whose chairman is Senator Kahle reports LB 879 advance to General File with committee amendments attached. That is signed by Senator Kahle. (See page 615 of the Legislative Journal.)

Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined and reviewed LB 606 and recommend that same be placed on Select File; 579 Select File; 703 Select File with amendments; 705 Select File; 718 Select File; 719 Select File; 724 Select File; 677 Select File; 722 Select File with amendments; 659 Select File; 764 Select File with amendments and 778 Select File with amendments and 779 Select File with amendments, all signed by Senator Kilgarin as Chair. (See pages 615-616 of the Legislative Journal.)

March 5, 1982

LB 828, 642

when you read this bill you might think that the Public Health and Welfare Committee is a little bit coldhearted in sending a bill to the floor of the Legislature that reduces the assets that children can have from \$1500 to \$1000 to be eligible for ADC. The Health and Welfare Committee, I would point out obviously, of course, this bill came out unanimously. The reason that this bill came here is not a change of policy which we originated in the State of Nebraska but one which comes to us from Washington. The Omnibus Reconciliation Act of 1981 requires this change that any individual who may be eligible for AFDC must have only \$1000 in assets, and if we do not pass this bill reducing the assets available to these children, then about 20 children will lose their AFDC payments entirely and so the committee unanimously advanced this bill to the floor of the Legislature. It is a very simple concept, one which is required by federal government in order to continue to participate for these children. So we urge you to adopt...to advance LB 828.

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

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

SPEAKER MARVEL: The motion is carried. The bill is advanced. Next item, LB 642.

CLERK: LB 642 introduced by Senator Wiitala. (Read title.) The bill was read on January 6, referred to the Education Committee for hearing. The bill was advanced to General File, Mr. President. I have no amendments to the bill.

SPEAKER MARVEL: The Chair recognizes Senator Wiitala.

SENATOR WIITALA: Mr. Speaker, members of the Legislature, I introduced LB 642 to address a small problem of some importance. The bill relates to children of divorced parents where the court has awarded custody to one parent or the other. As you know in a lot of cases of divorce, especially with the no fault divorce provisions, that parents while divorced still get along and there are cases where by mutual consent one parent will allow the child that was awarded to him or her to go to the other spouse and live for awhile. And in some cases, the divorced parents are living in different school districts. On a particular case in my district, when that happened, the school district charged nonresident tuition. Now it didn't wish to but it felt that it was compelled to. Now that nonresident tuition largely comes

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LB 642, 678

out of the pockets of one or the other parents and sometimes by gentlemen agreement or I should say gentleboard agreement the board, the school board of the original school district sometimes elects to pay that tuition. The bill tries to harmonize the difficulties that the parents and the child are facing by recognizing the fact that they are both taxpayers paying on property perhaps in both districts and I think it is equitable and it is fair and I would hope that you would see fit to advance it. Thank you, members.

SPEAKER MARVEL: Senator Lamb.

SENATOR LAMB: Mr. President, members of the Legislature, a question of Senator Wiitala please.

SENATOR WIITALA: Yes, Senator Lamb.

SENATOR LAMB: As I recall from the committee hearing, one of the administrators indicated that there would be some problems that they would have in administering this. Can you refresh my memory on that?

SENATOR WIITALA: No, I really can't. The only thing I can remember is Senator Sieck's suggestion. He wanted to include some other school systems that were...or some homes for children that would bring tuition into school districts and he decided to introduce a bill on his own volition next year that would address that issue.

SENATOR LAMB: It seemed to me that the one superintendent suggested it might be a problem for the school to determine the situation between parents. I guess I am not too clear on that but whether or not in fact this child was the child of the person with whom the child is living. I guess I am not going to strenuously object to the bill but I think maybe on Select File we should investigate that a little more and discuss it. Thank you.

SPEAKER MARVEL: The motion is to advance the bill as per Senator Wiitala's discussion. All those in favor of advancing the bill vote aye, opposed vote no. Have you all voted? Clerk, record the vote.

CLERK: 26 ayes, 0 nays, Mr. President, on the motion to advance the bill.

SPEAKER MARVEL: Motion carried. The bill is advanced. Okay, the next item is LB 678.

CLERK: LB 678 offered by Senator Hefner. (Read title.) The bill was first read on January 7 of this year, referred to the

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 642, 644, 696,  
828, 845

SENATOR KILGARIN: I move we advance LB 845.

PRESIDENT: Motion to advance LB 845 to E & R for Engrossment. Any discussion? All those in favor signify by saying aye. Opposed nay. LB 845 is advanced to E & R for Engrossment. LB 644, Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 644.

PRESIDENT: Motion to advance LB 644 to E & R for Engrossment. Any discussion? Machine vote has been requested on LB 644, so...yes, on LB 644, yes. All right, motion then, all those in favor of advancing LB 644 to E & R for Engrossment vote aye, opposed nay. We will go to the board. Record the vote.

CLERK: 33 ayes, 1 nay, Mr. President, on the motion to advance the bill.

PRESIDENT: Motion carries and LB 644 is advanced to E & R for Engrossment. The next bill, Senator Kilgarin, is LB 696.

SENATOR KILGARIN: I move we advance LB 696.

PRESIDENT: Motion to advance LB 696 to E & R for Engrossment. Machine vote has been requested. All those in favor of advancing LB 696 to E & R for Engrossment will vote aye, opposed nay. Go to the board. Record the vote.

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

PRESIDENT: Motion carries and LB 696 is advanced to E & R for Engrossment. The next bill is LB 828. Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 828.

PRESIDENT: Motion is to advance LB 828 to E & R for Engrossment. Machine vote has been requested. All those in favor vote aye, opposed nay. Go to the board. Record the vote.

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

PRESIDENT: Motion carries and LB 828 is advanced to E & R for Engrossment. The next bill is LB 642, Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 642.

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LB 642, 678, 775,  
776, 951

PRESIDENT: Motion to advance LB 642 to E & R for Engrossment. Machine vote, Senator Chambers, did you say? Machine vote has been requested. All those in favor vote aye, opposed nay, on LB 642 to Engrossment. Record the vote.

CLERK: 31 ayes, 3 nays, Mr. President, on the motion to advance the bill.

PRESIDENT: Motion carries, LB 642 is advanced to E & R for Engrossment. The next bill is LB 678, Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 678.

PRESIDENT: Motion is to advance LB 678 to E & R for Engrossment. Machine vote has been requested. All those in favor vote aye, opposed nay. Record the vote.

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

PRESIDENT: The motion carries and LB 678 is advanced to E & R for Engrossment. LB 775, Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 775.

PRESIDENT: Motion to advance LB 775 to E & R for Engrossment. Machine vote has been requested. All those in favor... any discussion? All those in favor vote aye, opposed nay. Record the vote.

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

PRESIDENT: Motion carries, LB 775 is advanced to E & R for Engrossment. The next bill is LB 776. Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 776.

PRESIDENT: Motion to advance LB 776 to E & R for Engrossment. All those in favor signify by saying aye. Opposed nay. LB 776 is advanced to E & R for Engrossment. The next bill is LB 951. Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 951.

PRESIDENT: Motion to advance LB 951 to E & R for Engrossment. Any discussion? All those in favor signify by saying aye. Opposed nay. LB 951 is advanced to E & R for Engrossment. LB 961. Yes, sir. Okay, ready, LB 961, Senator Kilgarin.

March 16, 1982

LB 259, 642, 644, 652, 678, 696  
767, 767A, 775, 776, 828, 845

that's where they have the programs that count and a number of kids that need help are being taught so I think that is a little bit misleading. So I believe it is only appropriate for us today to indefinitely postpone LR 240, get on with the business because we're going to have plenty of time to debate the budget in the next couple of weeks. Thank you.

SENATOR CLARK: The question before the House is the indefinite postponement of the resolution. All those in favor vote aye, opposed vote nay. Record the vote.

CLERK: Mr. President, Senator Koch requests a record vote. (Read record vote as found on page 1206 of the Legislative Journal.) 28 ayes, 10 nays, Mr. President, on the motion to indefinitely postpone the resolution.

SENATOR CLARK: The resolution is indefinitely postponed. Senator Lamb. He has some things to read in first.

CLERK: Your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 259 and find the same correctly engrossed; 642, 644, 678, 696, 767, 767A, 775, 776, 828, 845 all correctly engrossed. (See page 1207 of the Legislative Journal.)

Senator Haberman would like to print amendments to LB 259 and Senator Slick and Remmers to LB 652. (See page 1207.)

SENATOR CLARK: Senator Lamb.

SENATOR LAMB: Mr. President, I move that we adjourn until nine o'clock tomorrow morning, March 17, St. Patrick's Day, no celebration because Tommy's not here.

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

Edited by

L. M. Benischek  
L. M. Benischek



March 22, 1982

LB 259, 642, 644, 678

we want to go ahead with Final Reading. Motion is withdrawn. We will proceed then with the Final Reading of LB 259.

ASSISTANT CLERK: (Read LB 259 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 259 pass? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Read the record vote as found on page 1334 of the Legislative Journal.) The vote is 44 ayes, 0 nays, 4 excused and not voting, 1 present and not voting, Mr. President.

PRESIDENT: LB 259 passes. The next bill on Final Reading, Mr. Clerk, is LB 642.

ASSISTANT CLERK: (Read LB 642 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 642 pass? All those in favor vote aye, opposed nay. Record the vote.

ASSISTANT CLERK: (Read the record vote as found on page 1335 of the Legislative Journal.) The vote is 45 ayes, 0 nays, 4 excused and not voting, Mr. President.

PRESIDENT: LB 642 passes. The next bill to be read on Final Reading, Mr. Clerk, is LB 644.

ASSISTANT CLERK: (Read LB 644 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 644 pass? All those in favor vote aye, opposed nay. Record the vote.

ASSISTANT CLERK: (Read the record vote as found on pages 1335 and 1336 of the Legislative Journal.) The vote is 45 ayes, 0 nays, 4 excused and not voting, Mr. President.

PRESIDENT: LB 644 passes. The next bill to be read on Final Reading, Mr. Clerk, is LB 678.

ASSISTANT CLERK: (Read LB 678 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 678 pass?

March 22, 1988

LR 259  
LB 259, 631, 642, 644, 678, 845,  
696, 767, 767A, 775, 776, 828,

PRESIDENT: Senator Dworak, you wish to withdraw the amendment. Senator Dworak is withdrawing his amendment which was in the Journal and the amendment is withdrawn. So we will now proceed, Mr. Clerk, with the reading of LB 631.

CLERK: (Read LB 631 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied, the question is, shall LB 631 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Have you all voted? Record the vote.

CLERK: (Read the record vote as found on pages 1342 and 1343 of the Legislative Journal.) 38 ayes, 6 nays, 4 excused and not voting, 1 present and not voting, Mr. President.

PRESIDENT: LB 631 passes with the emergency clause attached. That will conclude Final Reading this morning. Before we take up agenda item #6, the Chair would like to introduce 70 students of the Youth Citizenship Seminar. This is group number two of the Nebraska Farm Bureau representing some 62 counties of our State of Nebraska and they are up here in the south balcony. We welcome you to your Legislature. Welcome. The Clerk will have some matters to read into the record. Proceed to do so.

CLERK: Mr. President, new resolution, LR 259, offered by Senator Haberman. (Read LR 259 as found on page 1343 of the Legislative Journal.) That will be laid over, Mr. President.

Mr. President, legislative bills read this morning on Final Reading are now ready for your signature.

PRESIDENT: While the Legislature is in session and capable of transacting business, I propose to sign and I do sign LB 259, 642, 644, 678, 696, 767, 767A, 775, 776, 828, 845 and 631. Ready then, Mr. Clerk, for agenda item #6, motions, LB 731.

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.