

January 9, 1981

LB 72-80

PRESIDENT: Okay, Mr. Speaker, we will read these bills and then we will recognize you for the motion.

CLERK: Read LB 72-79 by title for the first time as found on pages 102-103 of the Legislative Journal.

Mr. President, a final item of business is that Senator Wesely would like to announce that Senator Sieck has been selected as vice chair of the Rules Committee. I guess I have one more that came up.

Read LB 80 by title for the first time as found on page 104 of the Legislative Journal.

Mr. President, that is all I have.

PRESIDENT: The Chair recognizes Speaker Marvel.

SPEAKER MARVEL: I will once more remind the chairmen that we are going to meet at nine o'clock, Monday. The chairmen's meeting is at nine o'clock in Room 1520 and we adjourn until ten o'clock, Monday. With this motion in mind we will also check with the bill drafter and report to you on Monday as to any problems that come up and Senator Lamb and I will be in contact with the bill drafter's office and we will have a report for you on Monday.

PRESIDENT: You have heard the motion of the Speaker to adjourn until ten o'clock, Monday morning. All those in favor signify by saying aye, opposed nay. We are adjourned until ten o'clock, Monday morning.

Edited by *LaVera M. Benischek*  
LaVera M. Benischek

February 9, 1981

LB 21, 67, 77, 80,  
LB 104, 124, 143, 167, 234A,  
LB 186, 188A, 206, 221, 236

SPEAKER MARVEL: The Chair is going to make a suggestion. We are going to be facing this kind of procedure from now on and the Chair would like to meet with Senator Chambers. The Chair would like to meet in the Speaker's office with Senator Chambers, Senator Beutler, Senator Kremer and Senator Goodrich immediately upon adjournment and see if we can settle this without taking all this extra time. Now what is before the House? Okay, the Clerk has some items to read in. I would like to meet with Senator Chambers, Beutler, Kremer and Goodrich as soon as we adjourn.

CLERK: Mr. President, your committee on Public Works gives notice of hearing in Room 1517. Your Committee on Education gives notice of public hearing in Room 1517.

Mr. President, a second notice from the committee on Education regarding scheduling of public hearings.

Mr. President, new bills. (Read LB 188A; LB 234 A. See page 478 of the Legislative Journal.)

Mr. President, I have an Attorney General's opinion addressed to Senator Maresh regarding LB 518 from the 1977 legislative session.

Senator Burrows would like to have amendments printed in the Legislative Journal. (See page 479 regarding amendments to LB 167.)

I have notice of hearing from the Public Works Committee.

Mr. President, your committee on Ag and Environment whose chairman is Senator Schmit to whom is referred LB 80 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; 104 General File with amendments; 236 General File with amendments, (Signed) Senator Schmit. (See page 480 of the Journal.)

Your committee on Government, Military and Veterans Affairs whose chairman is Senator Kahle to whom is referred LB 221 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; 21 General File with amendments; 186 General File with amendments, (Signed) Senator Kahle. (See page 481 of the Journal.)

Mr. President, your committee on Miscellaneous Subjects whose chairman is Senator Hefner to whom is referred LB 124 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; 206 General File; 67 General File with amendments; 77 General File with amendments.

February 18, 1981

LB 67, 77

SENATOR CLARK: Is there any further debate? Senator Rumery, do you want to close?

SENATOR RUMERY: I would just urge you to support this bill and pass it on to E & R Initial. We think it is a step in the right direction. We think it is worthy of consideration by the Legislature.

SENATOR CLARK: The question is the advancement of LB 67. All those in favor vote aye. All those opposed vote nay. Have you all voted? Record the vote.

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

SENATOR CLARK: The motion carries. The bill is advanced. We will now take up LB 77 by Senator Goodrich.

CLERK: Mr. President, LB 77 offered by Senator Goodrich. (Read title.) The bill was read on January 9. It was referred to the Miscellaneous Subjects Committee. The bill was advanced to General File. There are committee amendments pending by the Miscellaneous Subjects Committee.

SENATOR CLARK: Who wants to handle the committee amendments? Senator Hefner.

SENATOR HEFNER: Mr. President, members of the body, I move for the adoption of the committee amendments. It is a very simple amendment. It just adds the emergency clause. The committee members felt that we should have the emergency clause because some cities have adopted the 1981 National Code and this way if we can get this through well then we could go ahead and our State Code would be the same as the National Code. Therefore, I would urge the adoption of this committee amendment.

SENATOR CLARK: Is there any discussion on the committee amendments? All those in favor of the committee amendments vote aye. All those opposed vote nay.

CLERK: Senator Clark voting aye.

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

CLERK: 25 ayes, 0 nays on adoption of the committee amendments, Mr. President.

SENATOR CLARK: The Chair recognizes Senator Goodrich on the bill.

SENATOR GOODRICH: Mr. President and members of the body, the sole purpose and thing that this bill achieves is the adoption of the 1981 National Electrical Code as opposed to the present 1978 Electrical Code. Every three years we go through this particular motion. We have what is called the National Electrical Code and it is revised every three years as, for example, progress is made in the knowledge of combustible materials, building materials, that sort of thing, how to prevent fires and that sort of thing from electrical apparatuses. They incorporate those changes, the further research into the National Electrical Code, and what we do then is just adopt the National Electrical Code that is the most recent code into the state statutes because of the fact that the Legislature, for example, cannot say that we shall adopt the National Electrical Code because it is subject to change by rules and regs from the federal level or by Congress. So we have to go through this same thing we do for savings and loans and that sort of thing. We adopt it as it is now, and that is what we are doing is we are adopting the National Electrical Code as in the 1981 form as opposed to the '78 form. I move the bill be advanced.

SENATOR CLARK: Is there any further discussion? Senator Dworak, your light is still on. Do you want to talk? If there is no further discussion, the question before the House is the advancement of LB 77. All those in favor vote aye. All those opposed vote nay.

CLERK: Senator Clark voting aye.

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

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

SENATOR CLARK: The motion carried. The bill is advanced. We will now take up LB 9. Senator Maresh.

CLERK: Mr. President, LB 9 was offered by Senator Richard Maresh. (Read title.) The bill was first read on January 8 of this year. It was referred to the Agriculture and Environment Committee for public hearing. The bill was advanced to General File. There are committee amendments pending by the Ag and Environment Committee, Mr. President.

SENATOR CLARK: Senator Schmit, do you want to take the committee amendments? LB 9.

SENATOR SCHMIT: Mr. President and members of the Legislature, the committee amendments exempt the Mary Lanning

February 20, 1981

LR 17, 18  
LB 9, 20, 21, 27-30, 37, 156,  
38, 42, 43, 67, 77, 124,  
186, 206, 206A, 244, 345, 354

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by Father Dale Harges, Sacred Heart Catholic Church here in Lincoln.

FATHER DALE HARGES: (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: Mr. President, the Journal is without error this morning.

PRESIDENT: Ah, that is good news. The Journal stands correct as published. We go on to any messages, reports or announcements?

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports it carefully examined and reviewed LB 21 and recommend that same be placed on Select File with amendments; 186 Select File with amendments; 124 Select File; 206 Select File; 206A Select File; 67 Select File; 77 Select File with amendments; 9 Select File with amendments; 38 Select File with amendments; and 345 Select File. Those are signed by Senator Kilgarrin as Chair.

Mr. President, I have an Attorney General's opinion addressed to Senator Haberman regarding delegation of legislative authority; and one addressed to Senator Beyer regarding LB 354.

Mr. President, I have a report from the Department of Administrative Services, State Building Division regarding the Request for Program Statement/Preliminary Plan Approval. It will be on file in my office.

Mr. President, a communication from the Governor. (Read: Re 244. See page 593, Legislative Journal.)

Mr. President, LBs 28, 42, 156, 20, 27, 29, 30, 37, 43, LR 17 and 18 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 28, LB 42, LB 156, LB 20, LB 29, LB 30, LB 37, LB 43, LR 18 and LR 17. We are ready then for agenda item #4, Final Reading. The Sergeant at Arms will make sure that all unauthorized personnel

February 23, 1981

LR 20  
LB 34, 38, 77, 197A,  
290

CLERK: There are E & R amendments, Senator.

SENATOR KILGARIN: I move the E & R amendments to LB 77.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. Motion is carried. The E & R amendment is adopted.

SENATOR KILGARIN: I move LB 77 be advanced to E & R for engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. The motion carried. The bill is advanced. LB 38.

CLERK: There are E & R, Senator.

SENATOR KILGARIN: I move the E & R amendments to LB 38.

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

SENATOR KILGARIN: I move LB 38 be advanced to E & R for engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. The motion is carried. The bill is advanced. Do you have anything else on the desk, Mr. Clerk?

CLERK: Yes, sir, I have several things to read.

Mr. President, first of all, a new A bill, LB 197A. (Read title.)

Mr. President, a new resolution, LR 20. (Read) That will be laid over, Mr. President.

Mr. President, Senator Wesely would like to have his name added to LB 34 as cointroducer.

Mr. President, Senator Burrows wants to remind the body that the tour of the Beatrice State Developmental Center is for tonight. Vans will leave the west door at 4:00 p.m. today for those planning to attend. Please let Senator Burrows' office know if you plan on going.

Mr. President, I have Committee on Committees confirmation reports from the Miscellaneous Subjects Committee and the Constitutional Revision and Recreation Committee.

I have an Attorney General's opinion addressed to Senator Clark regarding LB 290.

LR 23  
LB 21, 38, 67, 77, 80,  
104, 109, 144, 186, 205,  
206, 206A, 221, 236, 260,  
204A.

February 25, 1981

SENATOR LABEDZ: Will it be on the agenda tomorrow morning?

SPEAKER MARVEL: It will either be on the agenda tomorrow or the next day.

SENATOR LABEDZ: Thank you.

SPEAKER MARVEL: Do you have some items to read in?

CLERK: Yes, sir, I do. Mr. President, Senator Warner would like to print amendments to LB 144 in the Journal. (See pages 659 and 660 of the Legislative Journal.) New resolution, LR 23 by Senator Maresh and Senator Beutler. (Read LR 23 as found on page 660 of the Legislative Journal.) Mr. President that will be laid over. New bill, LB 204A, offered by Senator Wagner. (Read title to LB 204A for the first time.) Your committee on Public Works gives notice of public hearing. Your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 21 and find the same correctly engrossed, 38, 67, 77, 80, 104, 109, 126, 206, 206A, 221, 236, and 260 all correctly engrossed. (Signed) Senator Kilgarin, Chair.

SPEAKER MARVEL: Okay, we revert to General File, LB 205.

CLERK: Mr. President, LB 205 was considered by the body yesterday. There was a motion to adopt the committee amendments which prevailed. There was some discussion and I now have a motion to indefinitely postpone the bill as offered by Senator Chambers.

SPEAKER MARVEL: The Chair recognizes Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, the first thing I have to do is apologize to Senator Pirsch because yesterday I said this bill emerged from committee without a single dissenting vote, but she did vote against it. It is kind of interesting that she being from Omaha and I being from Omaha, she being notoriously law and order, I being notoriously whatever the contrary is, both agree that this bill is not a very good thing. So what I am asking that you do is consider what the purpose and role of an arson investigator is. The bill states it's to study the cause, origin and circumstances of fires. Nothing in this bill enhances that responsibility or that function. We don't want to create quasi law enforcement people when their job is not law enforcement. They have the team concept in Omaha right

March 2, 1981

LB 67, 77, 80

SPEAKER MARVEL: The motion is carried. The amendment is adopted. Now, Senator Kahle, do you want to move the bill back? Advance the bill.

SENATOR KAHLE: Mr. Speaker, I now move once more to move LB 38 to E & R for Engrassment.

SPEAKER MARVEL: All those in favor of that motion vote aye, opposed vote no....say aye. Opposed no. The motion....does somebody want a machine vote? The motion is carried. The bill is readvanced. The next item. We go back now to Final Reading and the Clerk will read on Final Reading LB 67.

ASSISTANT CLERK: (Read LB 67 on Final Reading.)

SPEAKER MARVEL: 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. Have you all voted? Record the vote.

ASSISTANT CLERK: (Read the record vote as found on page 709 of the Legislative Journal.) The vote is 46 ayes, 2 nays, 1 excused and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. The next bill, LB 77 on Final Reading.

ASSISTANT CLERK: (Read LB 77 on Final Reading.)

SPEAKER MARVEL: All provisions of law relative to procedure having been complied with, the question is, shall the bill pass with emergency clause attached? Those in favor vote aye, opposed vote no. Clerk, record the vote.

ASSISTANT CLERK: (Read the record vote as found on page 710 of the Legislative Journal.) The vote is 47 ayes, 0 nays, 1 excused and not voting, 1 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed with emergency clause attached. Before we go to the next bill, in the north balcony from Senator Landis' District fifty-five 4th Grade students from Belmont School, Lincoln, Nebraska, Kathy Kubik and Online Sidman, teachers. Will you raise your hands so we can see where you are? Good morning. The Clerk will read on Final Reading LB 80.

ASSISTANT CLERK: (Read LB 80 on Final Reading.)



March 3, 1981

LB 21, 65, 67, 77, 80, 109,  
110, 159, 186, 214, 221,  
236, 260, 274A, 290, 459A

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by the Reverend William Pfeffer from the Panama Presbyterian, also at the Wesleyan University here in Lincoln.

REVEREND PFEFFER: Prayer offered.

PRESIDENT: Roll call.

CLERK: Mr. President, Senator Hoagland would like to be excused until he arrives.

PRESIDENT: Have you all registered your presence? Record the presence, Mr. Clerk.

CLERK: Quorum present, Mr. President.

PRESIDENT: Quorum being present, are there any corrections to the Journal, Mr. Clerk?

CLERK: I have no corrections, Mr. President.

PRESIDENT: All right, the Journal will stand correct as published. Are there any messages, reports or announcements?

CLERK: Mr. President, I have an Attorney General's opinion addressed to Senator Newell and one to Senator Schmit regarding the Nebraska Corn Resources Act. (See pages 718-721 of the Legislative Journal.)

Mr. President, your committee on Appropriations whose chairman is Senator Warner refers LB 159 as indefinitely postponed, (Signed) Senator Warner.

Mr. President, LB 290 which was referred to Public Works reports the same to General File with amendments, (Signed) Senator Kremer as Chair. (See pages 721-722 of the Journal.)

Mr. President, LB 274A offered by Senator DeCamp. (Title read.) New A bill, LB 459A by Senator Fowler. (Title read.) (See page 722 of the Journal.)

Mr. President, your committee on Public Health and Welfare gives notice of cancellation and resetting of public hearing.

Mr. President, I have legislative bills 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 110, LB 214, LB 65, LB 21, LB 67, LB 77, LB 80, LB 109, LB 186, LB 221, LB 236 and LB 260. Anything further, Mr. Clerk?

LB 21, 24, 38, 44, 54, 65, 67,  
77, 80, 104, 109, 110, 154,  
186, 214, 221, 236, 260, 264,  
275, 288, 459

March 3, 1981

File with amendments; 264 to General File, (Signed)  
Senator Cullan, Chair.

Mr. President, your committee on Judiciary reports LB 44  
to General File with amendments.

Mr. President, new resolution offered by Senator Fowler,  
LR 27. (Read.) That will be laid over pursuant to our  
rules, Mr. President.

Mr. President, your committee on Enrollment and Review  
respectfully reports we have carefully examined and en-  
grossed LB 24 and find the same correctly engrossed, 38,  
54, 104, 154 and 275 and 288 all correctly engrossed,  
(Signed) Senator Kilgarin, Chair.

Mr. President, your Enrolling Clerk reports that she has  
presented to the Governor for his approval LBs 110, 214,  
65, 21, 67, 77, 80, 109, 186, 221, 236 and 260.

SPEAKER MARVEL: The next bill on Select File is LB 459.

CLERK: Mr. President, there are E & R amendments to LB 459.

SPEAKER MARVEL: Senator Kilgarin, E & R amendments to 459.

SENATOR KILGARIN: Mr. Speaker, I move the E & R amendments  
to LB 459.

SPEAKER MARVEL: All in favor of that motion say aye,  
opposed no. The motion is carried. The E & R amendment  
is adopted.

CLERK: Mr. President, I now have a motion from Senator  
Fowler. (Read Fowler amendment as found on page 733 of  
the Legislative Journal.)

SPEAKER MARVEL: The Chair recognizes Senator Fowler.

SENATOR FOWLER: Mr. President, this bill changes the  
contribution rates with regards to certain aspects of  
retirement. In working with the legislative fiscal staff  
we felt that rather than have the bill take effect on what-  
ever day, ninety days after the session which may be in the  
middle of a pay period, that we would try and pick a date  
for it to take effect so as to ease implementation. So  
this is for October 1. This really is an amendment to  
help with the mechanical aspects of adjusting the payroll  
to reflect the new contribution rates for the retirement  
plan. I would move for its adoption.

SPEAKER MARVEL: All those in favor of the Fowler amendment

March 9, 1981

LB 67, 72, 73, 77, 113,  
144A, 186, 214, 221, 459A.

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by Chaplain Coordinator Palmer.

DR. ROBERT PALMER: Prayer offered.

PRESIDENT: Roll call.

CLERK: Mr. President, Senators Burrows, Cullan, Hoagland and Beutler would like to be excused until they arrive, and Senators Higgins, Koch, Maresh and Stoney all day.

PRESIDENT: Have you all recorded your presence?  
Record the presence, Mr. Clerk.

CLERK: Quorum present, Mr. President.

PRESIDENT: Quorum being present, are there any corrections to the Journal, Mr. Clerk?

CLERK: I have no corrections, Mr. President.

PRESIDENT: Any messages, reports or announcements?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports that we have carefully examined and reviewed LB 459A and recommend that same be placed on Select File; 144A Select File; 72 Select File with amendments, and 73 Select File with amendments. (Signed) Senator Kilgarin. (See pages 789 and 790 of the Legislative Journal.)

Mr. President, your Committee on Banking, Commerce and Insurance whose Chairman is Senator DeCamp reports LB 113 to General File with amendments. (See page 790 of the Legislative Journal.)

Mr. President, I have a report from the Public Works Committee regarding the appointments of....certain gubernatorial appointments and confirmation thereof. (See page 791 of the Legislative Journal.)

Mr. President, communications from the Governor addressed to the Clerk. (Read communications regarding LB 77, 67, 186, 214 and 221 as found on pages 791 and 792 of the Legislative Journal.)

Mr. President, I have letters making appointments to the Crime Victims Reparations Board, to the Rural Health Manpower Commission and to the Investment Council. (See pages 792 and 793 of the Legislative Journal.)