

January 19, 1982

LB 881-894

PRESIDENT: All right, we are ready then for agenda item #4, introduction of new bills. Proceed.

CLERK: Mr. President, LB 881 offered by Senators Fenger, Pirsch and Kilgarin. (Read title). LB 882 by Senator Beutler. (Read title). LB 883 by Senator Cullan. (Read title). LB 884 by Senator Cullan. (Read title). LB 885 by Senator Wagner. (Read title). LB 886 by Senator Hefner. (Read title). (See pages 339 and 340 of the Journal).

PRESIDENT: Read some matters in.

CLERK: Mr. President, LB 887 offered by Senator Vickers. (Read title).

PRESIDENT: The Legislature will stand at Ease for a moment. The Chair has been asked to announce that if you members have not received your bill request previously requested, if you have not received it, please call the Revisor's office, Joann, over there at once because you should check on that, if you have not received those bill requests. Thank you. Now proceed, Mr. Clerk.

CLERK: Mr. President, LB 888 by Senator Newell. (Read title). LB 889 by Senator Wesely and Vickers. (Read title). LB 890 signed by Senators Vickers, Koch and Remmers. (Read title). (See pages 340 and 341 of the Journal.)

Mr. President, Senator Carsten would like to be excused at 10:30 today and for all day Wednesday.

LB 891 offered by Senator Haberman. (Read title). LB 892 offered by Senator Haberman. (Read title). Mr. President, LB 893 offered by Senator Schmit. (Read title). LB 894 offered by Senator Schmit. (Read title). (See pages 341 and 342 of the Journal).

February 1, 1982

LB 435, 589, 604, 604A, 882

CLERK: Mr. President, your committee on Appropriations whose Chairman is Senator Warner to whom was referred LB 604 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File and 604A advanced to General File with committee amendments attached. (See page 492 of the Journal).

Your committee on Enrollment and Review respectfully reports that LB 435 is advanced to Select File with E & R amendments attached. (See pages 493 and 494 of the Legislative Journal).

Mr. President, Senators Chronister and Higgins ask unanimous consent to add their name to LB 882 as co-introducer.

PRESIDENT: Any objections? If not, so ordered. Ready then for the next bill on General File, Special Order by the Speaker, LB 589, Mr. Clerk.

CLERK: Mr. President, LB 589 offered by the Banking Committee and signed by its members. (Read title). The bill was read on January 6 of this year. It was referred to the Banking Committee for public hearing. The bill was advanced to General File, Mr. President.

PRESIDENT: The Chair recognizes Senator DeCamp.

SENATOR DeCAMP: Mr. President and members of the Legislature, last year the Legislature completely rewrote the limited partnership laws. The last time it had been done was 1916. When we did it, taking the advice...and I am not going to take the blame, taking the advice of some professors from different universities, we left out some things that had been put in in 1971 and '77. They were technical things and, quite frankly, quite minor, but they screwed up the operation of a couple of limited partnerships that were in existence and so we are reinstating that language and that is what this amounts to. It is a technical correction of the thing we left out last year and it is agreed to by everybody. The people that drafted the new law, the uniform law, agreed that these probably should have been left in, so what they have to do with, keeping records, for example, you don't have to keep physical records in the State of Nebraska if the limited partnership base is outside of the state, some things like that. I would move advancement.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Senator Landis.

February 17, 1982

LB 866, 882
LB 634, 568, 777, 790

CLERK: (Read record vote as found on page 726 of the Legislative Journal.) 12 ayes, 19 nays, Mr. President, on the motion to indefinitely postpone.

SENATOR LAMB: The motion failed. Will the Clerk please read the next amendment. Please read in the material.

CLERK: Mr. President, Senator Goodrich would like to print amendments to LB 866 in the Legislative Journal. (See pages 726-727 of the Legislative Journal.)

Mr. President, your committee on Judiciary reports LB 568 advance to General File with committee amendments attached, signed by Senator Nichol; your committee on Government reports 790 advance to General File with committee amendments and 882 advance to General File with committee amendments, both signed by Senator Kahle as chairman; your committee on Banking reports LB 777 indefinitely postponed. That is signed by Senator DeCamp. (See pages 727-728 of the Legislative Journal.)

Mr. President, the next amendment I have to LB 634 is offered by Senator Beutler. Senator Beutler would move to amend to delete the words "or substandard" in line 18, page 2 and to delete the words "substandard or" in line 20, page 3.

SENATOR LAMB: Before we continue the debate I would like to introduce some former legislators. Under the South balcony we have Senator Rudolph Kokes, Senator Don Thompson and former Senator Arnold Ruhnke. Also I think I saw Jim Cook from Keyapaha County which happens to be in my legislative district. Would you gentlemen stand and be recognized. Senator Beutler.

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, if this bill must pass then I hope that at least we can make a few small changes to it that I think will help it make more sense. Right now we would be authorizing the issuance of bonds for blighted or substandard areas. Looking at the definitions in law a blighted area would appear to be a more deteriorated area than a substandard area. What my amendment does is eliminate the word substandard so that all that remains in the bill is the word blighted. So that the effect of the amendment would be to limit the issuance of the bonds to blighted areas and not blighted or substandard areas. The amendment is designed to tighten the criteria to make it a little more difficult to declare a particular area blighted. I don't really pretend that it is going to have an enormous effect. The ingenuity of those that draft statutes is limitless and I

March 15, 1982

LB 633, 816, 882, 893

Kahle on LB 882; one to Senator Carsten regarding LB 816 and a fourth to Senator Cullan on LB 893. (See pages 1153-1163 of the Legislative Journal.)

PRESIDENT: Alright, we're ready then for the next bill on General File, priority consent calendar, LB 633.

CLERK: Mr. President, LB 633 is a bill offered by Senator Clark. (Read.) The bill was read on January 6, referred to Public Works. The bill was advanced to General File, Mr. President. There are Public Works Committee amendments pending.

PRESIDENT: The Chair recognizes Senator Kremer for purposes of discussing the committee amendment.

SENATOR KREMER: Mr. Chairman, members, here again we're dealing with telephone companies in a little bit different light. This bill, just to make a brief statement, I already explained the amendments, provides that a telephone company can assess a rate increase and impose that increase on a temporary basis until such time that the PSC acts upon it. However, the committee amendments provide, since we use the language, "common carrier," it limits the word common carrier to telephone companies. So we're dealing under the committee amendment only with telephone companies. Secondly, it provides that they can collect only 75% on a provincial basis of this rate request until such time that the PSC acts upon it. Then should the PSC make a decision and they are in excess of what they are allowed under this decision, that excess has to be returned to the subscriber. That, in essence, is the explanation of the committee amendments. I move their adoption.

PRESIDENT: The Chair recognizes Senator Clark. Okay, Senator Beutler, do you wish to discuss the committee amendments? Senator Beutler.

SENATOR BEUTLER: A question of Senator Kremer, if I may.

PRESIDENT: Senator Kremer, will you respond.

SENATOR BEUTLER: Senator Kremer, the committee apparently added the language, "When making its final determination on the application, the commission shall not consider the rates and charges of the company put into effect pending such final determination." What is the purpose of that particular language?

SENATOR KREMER: Well, the rate increase can take place only until such time, I mean on a temporary basis, and then only 75% of the request, until such time the PSC acts upon it.