

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).

April 1, 1982

LR 233, 238, 239
LB 705, 816, 893

ASSISTANT CLERK: 28 ayes, 0 nays on the adoption of the Carsten amendment.

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

ASSISTANT CLERK: Nothing further on the bill, Mr. President.

SENATOR CLARK: Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 705.

SENATOR CLARK: The motion is to advance LB 705, but Senator Nichol wants to wait a while. Senator Nichol.

SENATOR NICHOL: Mr. Chairman, there is an amendment that we passed out this morning. Didn't I give you a copy of it? And then also there is one other small amendment that should be put on and I can have that ready after lunch, so I would prefer to hold it until after lunch so that we don't take it over to Final Reading and have to bring it back.

SENATOR CLARK: We will hold it until after lunch. Senator Wesely, you had an announcement to make and then would you like to recess us until 1:30 after this. Wait, we have some things to read in first.

ASSISTANT CLERK: Mr. President, I do have a series of items to read in. Your committee on Ag and Environment whose Chairman is Senator Schmit reports 893 to General File with amendments. Your committee on Revenue whose Chairman is Senator Carsten reports LB 816 to General File with amendments. (See pages 984-986 of the Journal.)

New resolutions, LR 238 offered by Senator Koch. (Read LR 238 as found on pages 983 and 983 of the Legislative Journal.) That resolution will be laid over.

LR 239 also offered by Senator Koch. (Read LR 239 as found on page 983 of the Legislative Journal.)

Mr. President, your committee on Appropriations gives notice of Executive Session on Saturday, March 6th at 8:00 a.m.

Finally, Mr. President, I have an amendment from Senator Schmit to be printed in the Journal. That amendment is to LR 233. (See page 986 of the Journal.)

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.

April 1, 1982

LB 875, 892, 893
LB 127, 573, 633, 668, 739, 751,
761, 766, 790, 816, 817, 852, 869

and nail him then and we can go on with the proceedings so that we can proceed with the business.. Would that be okay with you?

SENATOR HIGGINS: I don't know whether I want to vote to stay here or not because I don't know if it is going to do any good, because I don't know what might be on special order tomorrow and the next day.

SENATOR NICHOL: Well, I don't know that we are going to resolve that by debating that and I would really strongly suggest that we stick to the procedure that we are in right now. If you don't get a.....

SENATOR HIGGINS: I wish we would have stuck with the procedure we voted on two weeks ago.

SENATOR NICHOL: Let's get in our seats, please, so we can continue with the roll call vote and we will get going here. You have been very patient and I appreciate it but let's try to hang on there a little bit longer. Maybe we can get this bill passed or on its way. Proceed with the roll call, please. Please go to your seats.

CLERK: (Read the roll call vote as found on pages 1592 and 1593 of the Legislative Journal.) 23 ayes, 15 nays, Mr. President, on adoption of the amendment.

SENATOR NICHOL: The amendment is not adopted. Shall we move on to the next one, Pat? Do you want to read something in first?

CLERK: Very quickly, Mr. President. I have an Attorney General's Opinion addressed to Senator DeCamp, one to Senator Sieck and one addressed to Senator Warner. (See pages 1593 through 1597 regarding LBs 816, 127 and 893 in the Legislative Journal.)

Your Enrolling Clerk has presented to the Governor the bills that were read on Final Reading yesterday, Mr. President. (Regarding LBs 633, 790, 573, 668, 739, 751, 766, 817, 852, 869, 875 and 892.)

Mr. President, the next amendment I have is one offered by Senator Burrows.

SENATOR NICHOL: Senator Burrows.

SENATOR BURROWS: Mr. Chairman and members of the Legislature, this amendment simply strikes the language that