

January 8, 1981

LB 1-18

duced before we recess before this afternoon's ceremonies. So would you please get all the bills that you have ready for introduction up to the desk at this time so that we can proceed. Thank you. Proceed then, Mr. Clerk, with the introduction of the bills you do have.

CLERK: Read LB 1-18 by title for the first time. (See pages 74-77 of the Legislative Journal.)

PRESIDENT: The Chair recognizes Speaker Marvel.

SPEAKER MARVEL: Is Senator Marsh in the room?

PRESIDENT: Senator Marsh is right there.

SPEAKER MARVEL: Senator Marsh, do you have a Committee on Committees report that you would like to distribute and take up at this time?

SENATOR MARSH: Yes, Mr. Clerk, would you please start the distribution.

CLERK: Yes, Senator, it is on its way.

SPEAKER MARVEL: The item that we refer to is being added to the agenda as 5(a). This is to bring before you the Committee on Committees report for your consideration.

PRESIDENT: The Chair recognizes Senator Marsh as soon as we get the...we probably ought to wait until we make sure all of the reports are distributed, Senator Marsh, so why don't you just kind of watch...

SENATOR MARSH: Mr. President, I believe we are now ready.

PRESIDENT: All right, proceed.

SENATOR MARSH: Thank you very much. I will ask that the Clerk would read the cover letter on this report.

PRESIDENT: Mr. Clerk, go ahead.

CLERK: Mr. President, a communication from Senator Marsh addressed to Mr. Speaker and Senators: The following report is submitted as a final action of the Committee on Committees five hour meeting on Wednesday, January 7, 1981. Respectfully submitted, Shirley Marsh, Chairperson.

SENATOR MARSH: Mr. President, I move for the adoption of this report as the final action of the Committee on Committees following our five hour meeting on yesterday, January 7, 1981.

Mr. President, I have a lobby registration report for the interim period covered by April 19, 1980, through January 6, 1981. That will be inserted in the Legislative Journal. (See page 94 of the Journal.)

Mr. President, I have a reference report from the Executive Board referring legislative bills 1-36. That is signed by Senator Lamb as Chairman. (See pages 94-95 of the Legislative Journal.)

Mr. President, I have in my possession proposed lease renewals as supplied us by the State Building Division. Those will be on file in my office. I also have a report from the Nemaha Natural Resources Districts regarding payment of attorney fees. (See page 95 of the Journal.)

Mr. President, Senator Hefner would like to announce that Senator Barrett has been elected as vice chairman of the Miscellaneous Subjects Committee.

Mr. President, Senator Labedz would like to announce that Senator Pirsch has been elected vice chairman of the Constitutional Revision and Recreation Committee.

Mr. President, Senator Marvel would once again like to announce a meeting or a chairperson's caucus for Monday, January 12 at 9:00 a.m. in Room 1520. It is a chairperson's caucus for Monday, January 12 at 9:00 a.m. in Room 1520.

PRESIDENT: The Chair will recognize Speaker Marvel once more for additional announcement concerning procedure.

SPEAKER MARVEL: I think, Mr. President, the first thing we need to note is the fact that we are using valuable time that we may wish we had at the end of this session. I guess I am going to repeat this every day for a while and so would you please put on the Clerk's desk whatever legislation you have so that we can once again begin processing this legislation which means that the Exec Board needs to meet and refer the bills as soon as they have been processed by the Clerk and, therefore, I remind you first of all, get the bills in and, secondly, that the Exec Board then will have to meet to refer the bills. Now this process has to go on even if we may only meet until noon. Now, Mr. President, is that the... Pat, is there anything else to say about the reference of bills?

CLERK: No, sir, not that I am aware of. I think Senator Lamb might want to make a...

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LR 5
LB 1

working to the same goal, and I want to express to you my appreciation for your cooperation and I think that with the motion or two that we have on the Clerk's desk, I think things will be fairly well cleared up, and if there is anything that I can do for any member of this Legislature, it is my job to try to make things easier, I pledge you my support and all you have to do is ask me. But I wanted to tell you one and all I thank you for the way you have conducted yourself and I sincerely appreciate it. Thank you.

Now the Legislature will be at ease for a few moments while the Reference Committee completes its work and then we will get back to the Clerk's desk.

EASE

SPEAKER MARVEL: The Clerk will read some things into the record.

CLERK: Mr. President, new resolution, LR 5. (Read LR 5 as found on pages 192 and 193 of the Legislative Journal.) Mr. President, that will be laid over pursuant to our rules.

Mr. President, your Committee on Retirement Systems gives notice of hearing for January 20, next Tuesday, and your Committee on Government and Military Affairs gives notice of hearing for January 29 and 30. (See pages 193 and 194 of the Legislative Journal.)

Mr. President, I have a Reference Report from the Executive Board referring up through 171. (See pages 194 and 195 of the Legislative Journal.)

SPEAKER MARVEL: We have two bills on General File that we are going to take up this afternoon, LB 1 and LB 2, and for that the Chair recognizes....do you have something? Okay. All right, the Clerk will read the title and then we will refer to LB 1.

CLERK: Mr. President, LB 1 was introduced by Senator Lamb as Chairman of the Executive Board. (Read title). The bill was first read on January 8 of this year. It was referred directly to General File. It is a revisory bill, Mr. President.

SPEAKER MARVEL: The Chair recognizes Senator Lamb.

SENATOR LAMB: Mr. Speaker and members of the Legislature, I might just explain briefly to some of the new members

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LB 1, 2

of the Legislature that revisor bills are customarily referred directly to General File without referring them to committee. They ordinarily correct internal references, purely technical items which have slipped through the process previously and there is ordinarily no problems with it. LB 1 refers to the Nebraska Uniform Gifts to Minors Act. The problem that has developed in this area is that we changed the definition of a minor without changing that definition in some of the other statutes. I have all the information here in regard to this bill. That is basically the problem. We are just trying to coordinate the statute so that the new definition of minors which has redefined minor as a person who has not attained the age of 20 years. So this is the purpose of that bill, Mr. Chairman. I move that LB 1 be advanced to E & R Initial.

SPEAKER MARVEL: Any further discussion? If not, all those in favor of the motion vote aye, opposed vote no. This is the advancement of LB 1 from General File. Have you all voted? We are voting on LB 1 on General File. Clerk will record the vote.

CLERK: 33 ayes, 0 nays on the advancement of LB 1, Mr. President.

SPEAKER MARVEL: The motion is carried. The bill is advanced to E & R Initial. We now take up LB 2.

CLERK: Mr. President, LB 2 was offered by Senator Lamb as Chairman of the Executive Board. (Read title). It was again read on January 8 and referred directly to General File, Mr. President.

SPEAKER MARVEL: Senator Lamb.

SENATOR LAMB: Mr. Speaker and members, another revisor's bill which deals with the energy bill, LB 954, which was passed in 1980. In the preparation of the supplement the Revisor of Statutes usually substitutes all the section numbers assigned to the sections of the bill for the phrase, "this act". From the context of the bill it appears that internal references in several of the sections should have been sections 32 to section 50 of this act. I move that LB 2 be advanced on General File.

SPEAKER MARVEL: Any further discussion? The motion is the advancement of LB 1 (sic) to E & R Initial. All those in favor of that motion vote aye, opposed vote no. The vote is the advancement of LB 1 (sic) to E & R.... LB 2 to E & R Initial. Have you all voted? Have you

January 26, 1981

LB 1, 2, 60, 529

Mr. President, your Committee on Enrollment and Review respectfully reports we have carefully examined and reviewed LB 1 and recommend that same be placed on Select File; and LB 2 placed on Select File.

Mr. President, I have a series of reports. First there is a resolution offered by the International Association of Chiefs of Police. That will be on file in my office. I have a report from the Administrative Advisory Committee for Older Nebraskans pursuant to the requirements of legislative intent. Mr. President, Nebraska Coordinating Commission for Post-secondary Education offers a general current fund financial statistics for Nebraska. I have a report from the Department of Administrative Services regarding the State Social Security Act, and finally I have a report from the Nebraska Coordinating Commission for Postsecondary Education pursuant to LB 1004. Mr. President, I have a report from the Department of Insurance regarding the individuals, state employees, bonded by the Nebraska Department of Insurance.

Mr. President, Senator Maresh would like to have his name added to LB 529 as coinstructor.

PRESIDENT: Are there any objections? Hearing none, so ordered.

CLERK: Mr. President, your committee on Government, Military and Veterans Affairs gives notice of public hearing in Room 1113 for February 5 and 6. (Signed) Senator Kahle, Chairman.

PRESIDENT: We are ready then, Mr. Clerk, for General File. Proceed then to General File. The first bill on General File is LB 60. The Clerk may read the bill.

CLERK: Mr. President, LB 60. (Read title) The bill was first read on January 9 of this year. It was referred to the Banking, Commerce and Insurance Committee for public hearing. The bill was advanced to General File. I have no amendments pending, Mr. President.

PRESIDENT: Before we call upon Senator Johnson for presenting LB 60, the Chair takes this privilege to introduce some guests of Senator Landis from Senator Landis' District, some 90 students from Belmont School here in Lincoln, Nebraska, Jeanne Ludtke, teacher. They are up here in the North balcony. Would they kind of look down and wave to the Legislature and the Legislature welcome the students from Belmont School. Now the Chair recognizes Senator Lowell Johnson.

January 28, 1981

LR 8
LB 1, 2, 60

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by Reverend Palmer.

DR. PALMER: Prayer offered.

PRESIDENT: Roll call. Record the presence, Mr. Clerk.

CLERK: Quorum present, Mr. President.

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

CLERK: The Journal is without error the morning, Mr. President.

PRESIDENT: We will have to let the record show that and are there any messages, reports or announcements.

CLERK: Mr. President, just one, LR 8 is ready for your signature.

PRESIDENT: While the Legislature is in session and capable of doing business, I propose to sign and I do sign LR 8. We are ready then for agenda item #4, Select File, and we will take up the bills on Select File, Mr. Clerk, beginning with LB 1.

CLERK: I have no E & R amendments, Mr. President.

PRESIDENT: Senator Lamb, could we just ask you as Senator Kilgarin is not present, why don't we just have you move LB 1. There are no E & R amendments, Senator Lamb, so just move it ahead.

SENATOR LAMB: Mr. President, members of the Legislature, I move that LB 1 be advanced.

PRESIDENT: Motion is to advance LB 1 to E & R for engrossment. Is there any discussion? All those in favor signify by saying aye, opposed nay. LB 1 is advanced to E & R for engrossment. LB 2. Senator Lamb.

SENATOR LAMB: Mr. President, members of the Legislature, I move that LB 2 be advanced to E & R for engrossment.

PRESIDENT: Motion to advance LB 2 to E & R for engrossment. Is there any discussion? If not, all those in favor signify by saying aye, opposed nay. LB 2 is advanced to E & R for engrossment. Next is LB 60. Senator Lowell Johnson, is he

January 29, 1981

LB 1, 2, 15, 18, 60, 71

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by Reverend Jack Glass, First Assembly of God.

PASTOR JACK GLASS: Prayer offered.

PRESIDENT: Roll call.

CLERK: Mr. President, Senator Carsten would like to be excused today; Senator Sieck until he arrives.

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

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 as printed. Any messages, reports or announcements?

CLERK: I have several, Mr. President.

PRESIDENT: Proceed, Mr. Clerk.

CLERK: Mr. President, your committee on Appropriations whose Chairman is Senator Warner to whom we referred LB 156 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendments. (Signed) Senator Warner, Chairman.

Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 1 and find the same correctly engrossed; LB 2 correctly engrossed; LB 60 correctly engrossed; and LB 71 correctly engrossed. (Signed) Senator Kilgarin, Chairman.

Mr. President, your committee on Education gives notice of hearing for the month of February and early March. That is signed by Senator Koch as Chairman. Your committee on Public Works gives notice of public hearing for March 4 and March 12, signed by Senator Kremer as Chairman.

Mr. President, Senator Wagner would like to have his name added as cointroducer to LB 18.

February 4, 1981

LR 14
LB 1

or encouraged me to sign and present this Resolution along with Senator Fenger, and I am out of breath so I will make this short. I should get here earlier and that way I wouldn't have to run so far, and fast. Bob Gibson, it seems appropriate that we honor Bob Gibson in this way because of the great contributions that he has provided not only as a business man but as a sports hero, as a solid citizen and as an example, and maybe most importantly as a positive example for our children. The kind of determination, strength and leadership that he has provided Nebraska, the kind of pride that Nebraskans have in his great accomplishments are representative of the finest tradition in athletics and in the business community. With that, I encourage this body to designate Bob Gibson Day on his birthday and to give him the acknowledgement that he so well deserves.

SPEAKER MARVEL: All those in favor of the adoption of the Resolution vote aye, opposed vote no. Have you all voted? Record.

CLERK: 34 ayes, 0 nays on adoption of the Resolution, Mr. President.

SPEAKER MARVEL: Motion is carried. The Resolution is adopted. The next order of business is #5 which is Final Reading, and the rules indicate that all legislators will be in their seats on Final Reading and that no unauthorized personnel will be on the floor. We cannot start Final Reading until those requirements are fulfilled. We have 30 minutes of Final Reading. We cannot do anything until everybody gets to their seats, and those who are attempting to hide, I suggest that you stand up and follow the rules. Once more. The Clerk will read on Final Reading LB 1, as soon as all legislators are in their seats. The Clerk will read on Final Reading LB 1.

CLERK: (Read LB 1 on Final Reading.)

SPEAKER MARVEL: All provisions of law having been complied with, the question is, shall the bill pass? Those in favor vote aye, opposed vote no. Have you all voted? Senator Chambers, for what purpose do you rise?

SENATOR CHAMBERS: Point of information, Mr. Chairman. The bill lists Senator Frank Lewis as an introducer and since he is not a member of the 87th Legislature, I am wondering if that makes any difference. It is just for a point of information.

February 4, 1981

LB 1, 2, 60, 71

CLERK: Senator, the rules say that revisor bills can be offered by the Chairman of the Executive Board. To protect us in that instance we asked Senator Lamb to also sign as cointroducer, so I don't feel that there is a problem in this instance.

SPEAKER MARVEL: Have you all voted? The bill is declared....no, we have already done that. Record.

CLERK: Read record vote as found on page 418 of the Legislative Journal. 46 ayes, 0 nays, 3 excused and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed. The next bill on Final Reading, LB 2. The Clerk will read.

CLERK: (Read LB 2 on Final Reading.)

SPEAKER MARVEL: All provisions of law having been complied with, the question is, shall the bill pass? Those in favor vote aye, opposed no. Have you all voted? Clerk, record the vote.

CLERK: (Read record vote as found on page 419 of the Legislative Journal.) 45 ayes, 0 nays, 3 excused and not voting, 1 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. The Clerk will now read on Final Reading LB 60.

CLERK: (Read LB 60 on Final Reading.)

SPEAKER MARVEL: All provisions of law having been complied with, the question is, shall the bill pass? Those in favor vote aye, opposed vote no. Have you all voted? Have you all voted? Clerk, record the vote.

CLERK: (Read record vote as found on page 420 of the Legislative Journal.) 43.....are you voting, Senator. Senator Pirsch voting aye. 44 ayes, 1 nay, 3 excused and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. The Clerk will now read on Final Reading LB 71.

CLERK: (Read LB 71 on Final Reading.)

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

February 5, 1981

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: ...this morning by Rabbi Mark J. Bisman, Tifereth Israel Synagogue, 3219 Sheridan Boulevard, Lincoln, Nebraska.

RABBI BISMAN: Prayer offered.

SPEAKER MARVEL: Roll call, please record your presence.

CLERK: Mr. President, Senators Wagner, Carsten, Warner, Carsten and Wagner would like to be excused all day, Senator Fenger and Higgins until they arrive. Mr. President, Senator Vard Johnson would like to be excused until he arrives.

SPEAKER MARVEL: Will you please record your presence if you haven't already. Okay, record.

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

SPEAKER MARVEL: Item #3. Do you have anything to read in?

CLERK: Yes, sir. Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined and reviewed LB 156 and recommend that same be placed on Select File with amendments; LB 28 Select File; LB 29 Select File; LB 42 Select File with amendments, (Signed) Senator Kilgarin, Chairman. (See page 440 of the Legislative Journal.)

Mr. President, I have LRs 4, 9, 10, 13, 14 are ready for your signature as well as engrossed LBs 1, 2, 60, 71, 57 and 141.

SPEAKER MARVEL: While the Legislature is in session I am about to sign and do sign LR 4, LR 9, LR 10, LR 13, LR 14, LB 1, LB 2, LB 60, LB 71, LB 57 and LB 141.

CLERK: Mr. President, I have a reference report referring LB 543 and LR 12; rereferring LB 526 as well as a number of gubernatorial appointments. (See pages 441-442 of the Journal.)

Finally, Mr. President, I have a report from the Thurston County Sheriff's Department pursuant to statutory section 23-362.

SPEAKER MARVEL: Senator Warner is excused today so we are going to pass over #4, item #4 and move to item #5 which is General File and the first order of business is LB 165A.

CLERK: Read LB 165A.

SPEAKER MARVEL: Senator Lamb.

February 6, 1981

LB 1, 2, 43, 46, 57, 60,
70, 81, 141.

PRESIDENT LUEDTKE PRESIDING

PRESIDENT LUEDTKE: Prayer by Dr. Edward Kolbe, Pastor of First Christian Church here in Lincoln.

DR. EDWARD KOLBE: Prayer offered.

PRESIDENT: Roll call.

CLERK: Mr. President, Senator Marsh would like to be excused until she arrives. Mr. President, Senators Dworak, Carsten and Newell excused for the day. Senators Burrows, Hoagland, Fowler and Pirsch until they arrive.

PRESIDENT: Have you all registered your presence?

CLERK: Senator Labedz and Senator Vard Johnson would like to be excused until they arrive.

PRESIDENT: Record the presence.

CLERK: Quorum present, Mr. President.

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

CLERK: I have no corrections.

PRESIDENT: The Journal will stand correct as printed.

CLERK: I'm sorry, I do have....(See page 451 of the Legislative Journal for correction.)

PRESIDENT: Any messages, reports or announcements, Mr. Clerk.

CLERK: Yes, Mr. President, there are.

PRESIDENT: Proceed.

CLERK: Mr. President, your Enrolling Clerk respectfully reports that she has on this day at 1:58....on February 5 at 1:58 presented to the Governor for his approval the following bills: 1,2, 60, 71, 57, and 141.

Your Committee on Enrollment and Review respectfully reports that we have carefully examined and reviewed LB 43 and recommend that same be placed on Select File with amendments; 46 Select File with amendments; 81 Select File with amendments. (See pages 453 and 454 of the Journal.)

February 11, 1981

LB 1, 2, 18, 41, 43, 46, 45,
57, 60, 71, 81, 141.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: (Microphone not on)....this is by the Reverend Gale R. Baldrige, First Baptist Church, Lincoln, Nebraska.

REVEREND GALE R. BALDRIDGE: Prayer offered.

SPEAKER MARVEL: Record your presence, please.

CLERK: Mr. President, Senator Witala, Kilgarin, Kremer, Vard Johnson, Stoney, Labedz, Higgins, Sieck, Carsten, and Chambers until they arrive. Quorum present, Mr. President.

SPEAKER MARVEL: Okay, item #3, messages, reports, announcements.

CLERK: Mr. President, communication from the Governor addressed to the Clerk. (Read communication relating to engrossment of LB 1, 2, 57, 60, 71 and 141, as found on page 491 of the Journal.)

Mr. President, Attorney General's Opinion addressed to Senator John DeCamp regarding LB 45. (See pages 492 through 494 of the Legislative Journal.)

Your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 43 and find the same correctly engrossed, 46 and 81 correctly engrossed. (Signed) Senator Kilgarin, Chair.

SPEAKER MARVEL: Senator Nichol, do you want....Senator Nichol, do you want to follow Select File for us? Item #4 is Select File and the first bill is LB 41.

CLERK: There are no E & R amendments.

SENATOR NICHOL: Mr. Chairman, I move the advancement of LB 41 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 18.

CLERK: No E & R amendments, Senator.

SENATOR NICHOL: Mr. Chairman, I move LB 18 be advanced to E & R for Engrossment.

SPEAKER MARVEL: All those in favor of that motion say aye. Opposed no. The motion carried. The bill is advanced. LB 121.