

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...

February 3, 1981

LB 4, 10, 14, 18, 26, 41,
45, 51, 66, 68, 121

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by the Reverend Dean Herman, Church of the Nazarene, Curtis, Nebraska.

REVEREND DEAN HERNAM: Prayer offered.

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

CLERK: 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 then stands correct as printed. Are there any messages, reports or announcements, Mr. Clerk?

CLERK: Mr. President, your committee on Government, Military and Veterans Affairs whose Chairman is Senator Kahle to whom we referred LB 41 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; LB 45 General File; LB 18 General File with amendments; LB 121 General File with amendments. (Signed) Senator Kahle, Chairman. LB 4 indefinitely postponed by the Government Committee; LB 10 indefinitely postponed; LB 26 indefinitely postponed; LB 66 indefinitely postponed. (Signed) Senator Kahle.

Mr. President, your committee on Public Works whose Chairman is Senator Kremer to whom we referred LB 14 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; LB 51 General File with amendments. (Signed) Senator Kremer.

Your committee on Business and Labor whose Chairman is Senator Maresh to whom we referred LB 68 instructs me to report the same back to the Legislature with the recommendation it be indefinitely postponed. (Signed) Senator Maresh.

Mr. President, your committee on Judiciary gives notice of public hearing in Room 1113 for February 23, 24, 25, March 2, 3, 4, 9, 10, 11 and 16. (Signed) Senator Nichol.

Mr. President, two reports: A report of the activities of the Nebraska Commission on Rural Health Manpower will be inserted in the Journal; and I have a report from the Nebraska

February 6, 1981

LB 14, 121

SENATOR KAHLE: Mr. Speaker and members, just a little bit of information on that. We did hold the hearing and there was no objection from the Department of School Lands and Funds. I did receive correspondence from Dr. Ann Campbell from the Department of Education and they concur and it has been a difficult and costly proposition to condemn land that belongs to the School Lands or controlled by the School Lands and Funds people. This should simplify that process. Thank you.

SPEAKER MARVEL: The motion is to advance LB 121 to E & R for Review. All those in favor vote aye, opposed vote no. Record.

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

SPEAKER MARVEL: The motion is carried. The bill is advanced. We are now ready for LB 51.

CLERK: How about 14?

SPEAKER MARVEL: Oh, I am sorry. Excuse me, Senator Clark. LB 14.

CLERK: Mr. President LB 14 was signed by Senator Robert Clark and Senator Hefner and Senator Rumery. (Read title). The bill was read on January 8 and was referred to the Public Works Committee. It was advanced to General File. There are no amendments pending, Mr. President.

SENATOR CLARK: Thank you, Mr. Clerk. I will excuse the President for skipping over the bill.

SPEAKER MARVEL: Senator Clark.

SENATOR CLARK: Mr. President and members, what this bill does is to allow the Department of Roads and the public power districts to get together and finance a road that has been impacted by generating facilities. It's the same type of a bill that we had on LB 15 that allowed the power districts to contribute to school districts. This allows the power districts to contribute to a road that they are going to need and they'd probably pay for the whole road, but they cannot at the present time do that in statute, and that is what this does. That's all the bill does. It is strictly permissive. There is nothing mandatory about it.

February 6, 1981

LB 14, 51

SPEAKER MARVEL: The motion is the advancement of LB 14. All those in favor vote aye, opposed vote no. Record.

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

SPEAKER MARVEL: The motion is carried. The bill is advanced. Now we move to LB 51.

CLERK: Mr. President, LB 51 is offered by Senator Rumery. (Read title). The bill was read on January 8 of this year. It was referred to the Public Works Committee. The bill was advanced to General File. There are committee amendments pending, Mr. President, by the Public Works Committee.

SPEAKER MARVEL: Senator Beutler, the committee amendments.

SENATOR BEUTLER: Mr. Speaker and members of the Legislature, I don't want to take Senator Rumery's speech away from him but I think I am going to have to explain the bill just a little bit so that you can understand the committee amendments. Basically, we have in effect in the state a system of state incentive payments to counties for the purpose of encouraging the employment of qualified county highway superintendents, and those incentive payments are set out specifically in the statute in dollar amounts and it varies in accordance with the size of the county. Senator Rumery's bill did two things, one, it sought to increase those dollar amounts since they have not been changed for some time. The specific date eludes me right now. I am sure Senator Rumery will advise you of that. And the second thing that the bill sought to do was to discourage through an incentive mechanism the employment of consultants for purposes of doing the job basically of the county highway superintendent. Okay, the committee amendments then did two things. First of all, it struck out the provision that would have made hiring consultants less of a preference, and the second thing that we did was to reduce the increase in the incentives from 300 percent which was what was proposed to 50 percent. So those are the....that would be the effect of the committee amendments, to reduce the incentives below that which was originally proposed and to strike the provision that would have discouraged the hiring of consultants. Thank you.

February 10, 1981

LB 14, 18, 20, 24, 41,
51, 64, 65, 121, 165A

PRESIDENT LUEDTKE PRESIDING

PRESIDENT LUEDTKE: Prayer by Senator Rumery.

SENATOR RUMERY: (Prayer offered.)

PRESIDENT: Roll call.

CLERK: Mr. President, Senator Chambers would like to be excused all day; Senator Burrows until he arrives; Senator Carsten and Dworak all day.

PRESIDENT: Has everyone registered your presence? Has everyone registered your presence? Record the attendance, Mr. Clerk.

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

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

CLERK: I have no corrections, Mr. President.

PRESIDENT: The Journal will stand correct as printed. Proceed with any messages, reports or announcements.

CLERK: Your committee on Enrollment and Review respectfully reports we have carefully examined and reviewed LB 41 and recommend that same be placed on Select File; LB 18 Select File; LB 121 Select File; LB 14 Select File; LB 51 Select File with amendments; LB 64 Select File with amendments; LB 65 Select File; and LB 24 Select File. (Signed) Senator Kilgarin, Chairperson.

PRESIDENT: We are ready then for Select File. Senator Nichol, will you handle E & R? We only have E & R amendments on 178 so we will just go right down through the list beginning with LB 20.

SENATOR NICHOL: Okay, are you ready to start. Mr. President, I move that LB 20 be advanced to E & R engrossing.

PRESIDENT: Motion to advance LB 20 to E & R for engrossment. Any discussion? All those in favor signify by saying aye, opposed nay. LB 20 is advanced to E & R for engrossment. LB 165.

SENATOR NICHOL: Mr. President, I move...

PRESIDENT: LB 165A. Just hold up a minute. All right, we will

February 11, 1981

LB 14, 51, 64, 121

CLERK: No E & R amendments, Senator.

SENATOR NICHOL: Mr. Chairman, I move LB 121 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.

CLERK: No E & R amendments, Senator.

SENATOR NICHOL: Mr. Chairman, I move LB 14 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. LB 51.

CLERK: There are E & R amendments, Senator.

SENATOR NICHOL: Mr. Chairman, I move LB 51....

CLERK: E & R amendments be adopted, Senator.

SPEAKER MARVEL: The E & R amendments.

SENATOR NICHOL: The E & R amendments be adopted first, yes.

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

SENATOR NICHOL: Mr. Chairman, I move LB 51 be advanced to E & R for Engrossment.

SPEAKER MARVEL: All in favor of that motion say aye. Opposed no. The motion carried. LB 51 as amended is advanced.

CLERK: There are E & R, Senator.

SENATOR NICHOL: Mr. Chairman, I move the E & R amendments on LB 64 be approved.

SPEAKER MARVEL: All those in favor of that motion say aye. Opposed no. The motion carried. The bill is advanced. No it isn't. All right, the E & R amendments are adopted.

SENATOR NICHOL: Okay. Now, Mr. Chairman, I move LB 64 be advanced to E & R for Engrossment.

February 12, 1981

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Monsignor Charles J. Keenan of the Blessed Sacrament Parish, Lincoln, Nebraska.

MONSIGNOR KEENAN: Prayer offered.

SPEAKER MARVEL: Roll call. Will you please record your presence. Have you all recorded your presence? Record the vote.

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

SPEAKER MARVEL: Do you have some items to read into the record?

CLERK: Yes, sir, I do. Mr. President, your committee on Enrollment and Review respectfully reports that we have carefully examined and reviewed LB 336 and recommend that same be placed on Select File with amendments; 336A Select File; 33 Select File; 96 Select File; 31 Select File, 214 Select File, 120 Select File and 85 Select File with amendments, (Signed) Senator Kilgarin, Chair. (See pages 512-513 of the Legislative Journal.)

Mr. President, your committee on Banking, Commerce and Insurance whose chairman is Senator DeCamp to whom is referred LB 195 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendments; 272 General File with amendments; 273 General File with amendments and 355 General File with amendments, (Signed) Senator DeCamp, Chair. (See pages 512-514 of the Legislative Journal.)

Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined and engrossed LB 14 and find the same correctly engrossed; 18, 41, 51, 64, 65 and 121 all correctly engrossed.

And finally, Mr. President, I have a lobby registration report covering the week of February 6 through February 11, 1981. (See page 515 of the Journal.)

SPEAKER MARVEL: Okay, we will go to item #4, introduction of new bills.

CLERK: Mr. President, Senator Nichol moves to suspend Rule 5, Section 5 so as to permit the introduction of Request 889 by himself.

SPEAKER MARVEL: Senator Nichol.

February 20, 1981

LB 82, 130, 140, 14

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 82 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Record vote read. See page 597, Legislative Journal.) 47 ayes, 0 nays, 2 present and not voting, Mr. President.

PRESIDENT: LB 82 passes with the emergency clause attached. The next bill on Final Reading is LB 130.

CLERK: LB 130 (Read on Final Reading).

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 130 pass? All those in favor vote aye, opposed nay. Record the vote.

CLERK: Record vote read. See pages 597 and 598, Legislative Journal.) 45 ayes, 3 nays, 1 present and not voting, Mr. President.

PRESIDENT: LB 130 passes. The next bill on Final Reading is LB 140.

CLERK: Mr. President, LB 140 (Read on Final Reading).

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 140 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Record vote read. See page 598, Legislative Journal.) 48 ayes, 0 nays, 1 present and not voting, Mr. President.

PRESIDENT: LB 140 passes with the emergency clause attached. The next bill on Final Reading is LB 14.

CLERK: Mr. President, LB 14 (Read on Final Reading).

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 14 pass? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Record vote read. See page 599, Legislative Journal.) 49 ayes, 0 nays, that accounts for everybody, Mr. President.

PRESIDENT: LB 14 passes, and before we go to the next bill, the Chair would like to introduce some guests of Senator Nichol, seated under the South balcony are Walter and Shirley Schlager and Edwin and Lillian Blehm from Scottsbluff. Would

LB 14, 18, 20, 27, 28, 29, 30
37, 41, 42, 43, 45, 46, 81
110, 121, 125, 130, 140,
143, 155, 164, 188, 188A,
207, 207A, 214, 234, 82, 64
234A

February 20, 1981

SENATOR DWORAK: I wish to close, Mr. President. I just reiterate that LB 125 be advanced to E & R initial.

SPEAKER MARVEL: All those in favor of that motion vote aye, opposed vote no. Okay, record.

CLERK: 33 ayes, 9 nays on the motion to advance the bill, Mr. President.

SPEAKER MARVEL: The motion is carried. The bill is advanced. The Clerk has some items on the desk before we adjourn.

CLERK: Mr. President, before we leave Senator Kremer would like to remind the Public Works Committee that they have a hearing at noon today in Room 1517 on Gubernatorial appointments for the public roads classification for motor vehicle licensing board. That is in Room 1517.

Mr. President, I have legislative bills ready for your signature.

SPEAKER MARVEL: While the Legislature is in session and capable of transacting business I am about to sign and I do sign LB 121, LB 64, LB 41, LB 18, LB 14 and engrossed LB 140, engrossed LB 130 and engrossed LB 82, engrossed LB 81, engrossed LB 46 and engrossed LB 45. Okay, Mr. Clerk.

CLERK: Mr. President, I have an Attorney General's opinion addressed to Senator Goodrich. It will be inserted in the Journal. (See pages 608-610.)

Your committee on Enrollment and Review respectfully reports we have carefully examined and engrossed LB 110 and find the same correctly engrossed; 188, 188A, 207, 207A, 214, 234 and 234A, all correctly engrossed.

Mr. President, your Enrolling Clerk respectfully reports she has at 10:37 a.m. presented to the Governor for his approval the following bills: 28, 42, 156, 20, 27, 29, 30, 37 and 43.

Mr. President, Senator Chambers moves to reconsider the action in voting to indefinitely postpone LB 143. That will be laid over.

I have explanation of votes from Senator Haberman and Senator Sieck. (See page 611 of the Journal.)

I have a report of registered lobbyists for February 12

February 23, 1981

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Reverend Palmer of the Westminster Presbyterian Church.

DR. PALMER: (Prayer offered).

SPEAKER MARVEL: Roll call.

CLERK: Mr. President, Senators Hoagland and Beutler would like to be excused until they arrive. Senator Beutler has arrived, Mr. President.

SPEAKER MARVEL: Record, Mr. Clerk.

CLERK: Quorum present, Mr. President.

SPEAKER MARVEL: Do you have items under #3?

CLERK: Mr. President, first of all, I have a correction in the Journal.

Senator Sieck offers an explanation of vote.

Communication from the Governor addressed to the clerk. (Read. Re: LBs 20, 28, 29, 37, 42, 43, and 46. See pages 619 and 620, Legislative Journal.)

Mr. President, your Enrolling Clerk respectfully reports that she has on this day at 1:30 p.m. presented to the Governor the following bills: 45, 46, 81, 82, 130, 140, 14, 18, 41, 64, and 121.

Mr. President, your committee on Enrollment and Review respectfully reports it carefully examined and engrossed LB 65 and find the same correctly reengrossed. (Signed) Senator Kilgarin, Chair.

SPEAKER MARVEL: The next item is #4, Final Reading. Will all legislators please take your seats. The first order of business is LB 24.

CLERK: Mr. President, I have a motion on the desk. Senator Haberman moves to return LB 24 to Select File for a specific amendment. That amendment is to add the emergency clause to the bill, Mr. President.

SPEAKER MARVEL: Okay, you have heard the motion. Senator Haberman.

February 24, 1981

LB 14, 24, 31, 33, 41,
45, 46, 64, 81, 82,
85, 96, 120, 121,
130, 14, 158, 213

SPEAKER MARVEL PRESIDING

REV. JOSEPH A. MROCZKOWSKI: Prayer offered.

SPEAKER MARVEL: Will you please record your presence?
Record.

CLERK: Quorum present, Mr. President.

SPEAKER MARVEL: Underneath the North balcony, it is my privilege to present visitors to Nebraska sponsored by Partners of the Americas and the sponsors are Mrs. Ben Schulze and Gilbert Erickson and the visitors are coordinated with Dr. Fortes and his wife Maranna and the technical title is the Coordinator of Congressional Affairs for the Ministry of Education and Cultural Affairs from Brazil. Would you folks please stand so we can welcome you to the Unicameral. Okay, there is some items on the Clerk's desk and we will start with those.

CLERK: Mr. President, a communication from the Governor addressed to the Clerk regarding signing of LBs 14, 18, 41, 45, 46, 64, 81, 82, 121, 130 and 140. (See page 639 of the Legislative Journal.)

Your Enrolling Clerk respectfully reports that she has on February 23 at 2:37 p.m. presented to the Governor the following bills: 31, 33, 85, 96 and 120.

Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined LB 24 and find the same correctly engrossed.

Your committee on Appropriations whose chairman is Senator Warner to whom is referred LB 158 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendment, (Signed) Senator Warner, Chair.

Mr. President, I have a report from the State Employment and Training Council. It will be on file in my office.

Mr. President, Senator Cullan asks unanimous consent to add his name to LB 213 as coinstructor.

SPEAKER MARVEL: Do you have any other items?

CLERK: No, sir.

SPEAKER MARVEL: Okay, item #4, resolutions.