

CLERK: (Read LB 152 by title.) (See page 148 of the Journal.)

SPEAKER MARVEL: Will the Legislature come to order please. The Chair will recognize Senator Kremer for the purposes of making a motion.

SENATOR KREMER: Mr. Chairman, members of the Legislature, I move that a committee of six be appointed to escort the Governor of the State of Nebraska to the Chamber at this time.

SPEAKER MARVEL: You have heard the motion. The six member committee will escort both the Governor and his wife to the Chamber. All those in favor of Senator Kremer's motion say aye, opposed no. The motion is carried. The committee, Senator Kremer, chairman, Senator Carsten, Senator Clark, Senator Warner, Senator Maresh, Senator Marsh. The committee will retire for the purpose of escorting the Governor and his wife to the legislative Chamber, Senator Kremer, chairman, Senator Carsten, Senator Clark, Senator Warner, Senator Maresh and Senator Marsh.

Mr. Sergeant at Arms.

SERGEANT AT ARMS: Mr. Speaker, your committee now escorting his excellency, the Governor of the great State of Nebraska and Mrs. Thone.

SPEAKER MARVEL: Will the committee please escort the Governor and Mrs. Thone to the front of the Chamber.

GOVERNOR THONE: State of the State and Budget address. (See pages 148-162 of the Legislative Journal.)

SPEAKER MARVEL: Would the committee please escort the Governor and his wife from the Chamber. The Legislature will come to order. There is some business on the Clerk's desk that we need to listen to before we recess this morning. Okay, Pat.

CLERK: Mr. President, your committee on Banking, Commerce and Insurance gives notice of public hearing in Room 2230 for Monday, January 19. That is signed by Senator DeCamp as chairman.

Mr. President, Senator DeCamp would like to announce that Senator Haberman has been selected as vice chairperson of the Banking, Commerce and Insurance Committee.

Read LB 153-166 by title. (See pages 162-165 of the Legislative Journal.)

SENATOR NEWELL: Mr. Speaker, the only reason we suggest that we bring it up today is because with another conversation with you, you thought we had some time right now. If you want to lay it over that is no problem with us. We will be more than happy to deal with it tomorrow. If Chris would have come to me or to anyone and suggested that we hold off until tomorrow, we would have been more than happy to accommodate him but Chris instead decided to offer a motion without talking to anybody and so we leave it entirely in your hands, Mr. Speaker.

SPEAKER MARVEL: The Chair will make this ruling and you can treat it as you see fit. The request for the introduction of the bill will be on tomorrow's agenda. Is there any further business? What is the next order of business? I have lost the ....

CLERK: Mr. President, I have got a couple of matters to read in if I may.

SPEAKER MARVEL: Okay.

CLERK: The committee on Urban Affairs whose chairman is Senator Landis to whom is referred LB 311 reports the same back to General File; LB 307 indefinitely postponed. Those are signed by Senator Landis. (See page 679 of the Journal.)

Mr. President, I have a request from Senators Hefner, Von Minden, Wagner, Fitzgerald, Chronister and Wesely to add their names to LB 157 as coinroducer.

SPEAKER MARVEL: Any objection? If not, so ordered.

CLERK: That is all I have, Mr. President. We are to proceed to General File.

SPEAKER MARVEL: The first order of business on General File is LB 434.

CLERK: Mr. President, LB 434 was introduced by the Urban Affairs Committee and signed by its members. (Title read.) The bill was read on January 20, referred to the Urban Affairs Committee for public hearing. It was advanced to General File. I have no amendments on the bill, Mr. President.

SPEAKER MARVEL: Senator Landis.

SENATOR LANDIS: Mr. Speaker, members of the Legislature, this is the committee bill by the Urban Affairs Committee, introduced on behalf of the League of Municipalities. This

March 18, 1981

LB 17, 157, 334, 355

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: ...Ray F. Daniel, pastor of College View Seventh Day Adventist Church.

PASTOR DANIEL: Prayer offered.

SPEAKER MARVEL: Please record your presence.

CLERK: Mr. President, Senators Pirsch and Hoagland would like to be excused until they arrive; Senators Schmit, Higgins, Kilgarin and Kahle until they arrive; Senators Nichol and Hefner all day.

SPEAKER MARVEL: Record.

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

SPEAKER MARVEL: Item number three.

CLERK: Mr. President, your committee on Appropriations whose chairman is Senator Warner reports LB 157 on General File and LB 334 to General File with amendments, (Signed) Senator Warner. (See pages 987-988 of the Journal.)

Mr. President, I have an Attorney General's opinion addressed to Senator Kilgarin regarding LB 355. (See pages 988-990.)

Mr. President, two new resolutions, LR 41 by Senator Carsten. (Read.) Mr. President, that will be laid over. LR 42 offered by Senator Clark. (Read.) (See pages 990-991 of the Journal.) That will be laid over as well, Mr. President.

Mr. President, finally, Senator Howard Peterson would like to be excused tomorrow and Monday and Tuesday of next week.

SPEAKER MARVEL: Okay are we all ready now? Ready for item number four?

CLERK: Yes, sir.

SPEAKER MARVEL: We are ready for item number four, General File, priority bills.

CLERK: Mr. President, LB 17 was a bill introduced by Senator Jerry Koch and Senator Cal Carsten. (Read.) The bill was first read on January 8 of this year, Mr. President. It was referred to the Revenue Committee for a public hearing. The bill was advanced to General File. I do have committee amendments pending by Senator Carsten's Revenue Committee.

March 27, 1981

LB 427, 427A, 157

SENATOR WIITALA: That is right.

SENATOR NICHOL: Okay, thank you.

SENATOR CLARK: Senator Kahle.

SENATOR KAHLE: Call for the question.

SENATOR CLARK: The question has been called for. Do I see five hands? I do. The question before the House is to cease debate. All those in favor vote aye, opposed no. While we are waiting for the vote, we have 48 students from Beatrice, Nebraska, from Lincoln Elementary School. Mrs. Hopp, Mrs. Mulvaney are the teachers. They are in the North balcony. Will you raise your hands so we can recognize you. Welcome to the Legislature. Have you all voted on ceasing debate? Ceasing debate only, report the vote.

CLERK: 25 ayes, 0 nays to cease debate, Mr. President.

SENATOR CLARK: Debate has ceased. Senator Wiitala.

SENATOR WIITALA: I would just simply move the bill as amended.

SENATOR CLARK: Is there any discussion on advancing the bill? Senator Nichol, did you want to talk on advancing the bill? The motion is to advance the bill. All those in favor vote aye, opposed nay. Have you all voted on the advancement of the bill, 427? Record the vote.

CLERK: 25 ayes, 1 nay, Mr. President, to advance the bill.

SENATOR CLARK: The bill is advanced. 427A.

CLERK: Mr. President, LB 427A was offered by Senator Wiitala. (Read.)

SENATOR CLARK: Senator Wiitala.

SENATOR WIITALA: Mr. President, members of the Legislature, I would move the advancement of this bill.

SENATOR CLARK: Is there any discussion on the advancement of LB 427A? If not, all those in favor vote aye, opposed nay. Have you all voted? Record the vote.

CLERK: 25 ayes, 0 nays on the motion to advance the bill, Mr. President.

SENATOR CLARK: The motion passed. The bill is advanced. We will not take up LB 157.

March 27, 1981

LB 157

CLERK: Mr. President, if I may right before that, Miscellaneous Subjects gives notice of hearing for April 6.

Mr. President, LB 157 was a bill introduced by Senator Marvel at the request of the Governor and Senators DeCamp, Hefner, VonMinden, Wagner, Fitzgerald, Chronister and Wesely. (Read.) The bill was first read on January 14. It was referred to the Appropriations Committee. The bill was advanced to General File. I have no amendments on the bill, Mr. President.

SENATOR CLARK: Senator Marvel.

SPEAKER MARVEL: Mr. President, I move the advancement of the bill. Do you want me to explain it?

SENATOR CLARK: Explain the bill, please.

SPEAKER MARVEL: Okay. The Nebraska veterans' aid fund briefly is benefits in reverse most states as soon as veterans get home, give them a certain lump sum. Nebraska does not operate this way. What Nebraska does is to put money into the fund tied to a veterans aid fund in Nebraska and when there is a need, then that need is met. For instance this last year the average grant was \$250.46 and the process, in effect, goes from the American Legion Post, the V.F.W. Post, the D.A.V. chapters and the need is channeled through those organizations and the income from the money that is in the veterans' aid fund is used to pay for those in need. What this bill does is to change the statutory face value of Nebraska veterans' aid fund from \$11 million to \$11 million 500 thousand dollars and it is my understanding that next year if we proceed as we have in the past there will be added another half a million dollars. That is my explanation, Mr. President.

SENATOR CLARK: Senator Hefner.

SENATOR HEFNER: Mr. President, members of the body, I rise to support this bill, LB 157. This bill would increase the trust fund from 11 million dollars to 11 million 500 thousand dollars, an increase of a half a million dollars and I think this is a good way to help out our veterans and what they do is use the interest that this fund provides to take care of emergency situations and so, therefore, I would rise and urge you to support this measure.

SENATOR CLARK: Senator Koch.

SENATOR KOCH: Mr. Chairman, I move the previous question. We are all familiar with this bill.

March 27, 1981

LB 157, 157A, 200

SENATOR CLARK: The previous question has been called for. Do I see five hands? All those in favor of ceasing debate vote aye, those opposed nay. Have you all voted? Record the vote.

CLERK: 26 ayes, 0 nays to cease debate, Mr. President.

SENATOR CLARK: Debate is ceased. Senator Marvel, what would you like to do with the bill? Debate has ceased.

SENATOR MARVEL: One other point and that is that this item is in the Governor's budget and I renew my motion to advance the bill.

SENATOR CLARK: The question before the House is the advancement of LB 157. All those in favor vote aye, opposed nay. Record the vote.

CLERK: 28 ayes, 0 nays on the motion to advance 157, Mr. President.

SENATOR CLARK: The motion carried. The bill is advanced. We will take up LB 157A.

CLERK: (Read.)

SENATOR CLARK: Senator Wesely.

SENATOR WESELY: Mr. President, I move that LB 157A be advanced. It appropriates the funds to carry out LB 157.

SENATOR CLARK: Is there any discussion on the advancement of LB 157A? If not, all those in favor vote aye, opposed vote nay. Have you all voted on the advancement of LB 157A? Voting aye, Mr. Clerk.

CLERK: Senator Clark voting aye.

SENATOR CLARK: Record the vote.

CLERK: 25 ayes, 0 nays on the motion to advance the A bill, Mr. President.

SENATOR CLARK: The motion carried. The bill is advanced. LB 200.

CLERK: LB 200 was a bill introduced by Senator Elroy Hefner. (Read.) The bill was read on January 15, referred to the Public Works Committee. It was advanced to General File. I have no amendments on the bill, Mr. President.

March 31, 1981

LB 58, 87, 157, 157A, 158, 200,  
280, 283, 329, 330, 333, 371,  
407, 427, 427A, 437, 483, 491, 536

PRESIDENT LUEDTKE PRESIDING

FATHER HENRY BURTON: (Prayer offered).

PRESIDENT: Roll call. Roll call, please. Would all of you please register your presence if you are here? We are still waiting a quorum. Senator Warner, do you want to give us your presence here and we can get a quorum. Thank you. 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: I have no corrections, Mr. President.

PRESIDENT: The Journal will then stand as published. Are there any other messages, reports or announcements, Mr. Clerk.

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 329 and recommend that same be placed on Select File with amendments; 333 Select File with amendments; 483 Select File; 407 Select File; 427 Select File; 427A Select File; 157 Select File; 157A Select File; 200 Select File; 371 Select File; 280 Select File; 536 Select File; 158 Select File; 330 Select File; 58 Select File with amendments; 491 Select File; 283 Select File with amendments; 87 Select File; 437 Select File with amendments. All signed by Senator Kilgarrin as Chair. That is all I have, Mr. President.

PRESIDENT: Thank you, Mr. Clerk. Senator Haberman, did you wish...Senator Haberman. The Chair recognizes Senator Haberman for a point of personal privilege. Yes, and you should all pay attention to this because it is pretty personal.

SENATOR HABERMAN: Mr. President, members of the Unicameral, this is a very personal thing and I would like to have your attention, especially the attention of the press. In the Omaha World Herald and in the Star this morning, it says, "Senator Rex Haberman of Imperial who operates a liquor store". I do not operate a liquor store. I do not own a liquor store nor do I have any stock in any liquor stores. I do not know where this idea came from and I would like to inform this body and have it go on the record that I am in no way involved in any liquor stores, wholesale, retail, giveaway or anything else, and I thank you, Mr.

April 6, 1981

LB 174, 351, 446, 125  
384, 407, 427, 427A,  
157, 157A, 200

Mr. President, your Enrolling Clerk has presented to the Governor LBs 174, 351, 446 and 125.

Mr. President, I have a report of certain Gubernatorial appointments from the Public Health and Welfare Committee that will require legislative approval.

Mr. President, finally Senator Beutler would like to print amendments to 384 in the Journal.

SPEAKER MARVEL: Senator Kilgarin, do you have a list of bills? The Clerk will announce to you and then we can go from there. 407 is the first one.

SENATOR KILGARIN: I move that LB 407 be advanced to E & R for Engrossment.

SPEAKER MARVEL: 407? All those in favor of advancing the bill say aye, opposed no. The motion is carried, the bill is advanced. Next, 427.

SENATOR KILGARIN: I move LB 427 be advanced to E & R for Engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. The motion is carried, bill is advanced. 427A.

SENATOR KILGARIN: I move LB 427A be advanced to E & R for Engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. Motion is carried, bill is advanced. 157.

SENATOR KILGARIN: I move LB 157 be advanced to E & R for Engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. Motion is carried, bill is advanced. LB 157A.

SENATOR KILGARIN: I move LB 157A be advanced to E & R for Engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. Motion is carried, bill is advanced. LB 200.

CLERK: Mr. President, I have a motion from Senator Carsten on LB 200.



April 7, 1981

LB 477, 291, 311, 355, 56,  
157, 157A, 158, 200, 243,  
280, 371, 407, 427, 427A

SENATOR PIRSCH: Okay, ther are. . . .

SENATOR WESELY: Or based on what sort of effort did you. . . .

SENATOR PIRSCH: There are three states which presently have about the same thing, Wisconsin, California and I'll look up the other one, Connecticut.

SENATOR WESELY: Okay, thank you. I would just like to rise in support of the bill. I think that clearly this is an effort that needs to be undertaken by the State of Nebraska that for to long we have ignored the problems that have been experienced by our witnesses and victims of crime and certainly want to commend Senator Pirsch for her efforts in this area. It seems to me that the bill is a step in the right direction.

SPEAKER MARVEL: Senator Pirsch, do you wish to close?

SENATOR PIRSCH: Yes, thank you Mr. Speaker, I'll close just by saying that I am proud to have had Nebraska in the forefront in helping other victims and I think that this will be a continuation of our sincere desire to help those victims and witnesses in the criminal justice system. I urge your passage of 477.

SPEAKER MARVEL: The motion is to advance the bill, 477, all those in favor of advancing the bill vote aye, opposed vote no. Have you all voted? Record.

CLERK: 27 ayes, 0 nays on the motion to advance the bill Mr. President.

SPEAKER MARVEL: Motion is carried, bill is advanced.

CLERK: Mr. President, you Enrollment Clerk respectfully reports that she has presented to the Governor LBs 291, 311, 355 and 56.

Committee on E & R respectfully reports that we have carefully examined and re-engrossed LB 290 and find the same correctly engrossed. 157, 157A, 158, 200, 371, 407, 280, 427 and 427A, all corrected engrossed. (signed) Senator Kilgarin, Chair.

Senator Schmit would like to print amendments to LB 243 in the Journal, Mr. President.

May 12, 1981

LB 168A, 157, 157A

SENATOR CLARK: All provisions of law according to procedure having been complied with, the question is, shall LB 168A with the emergency clause be passed. All those in favor vote aye, all those opposed vote nay. It takes 33 votes.

CLERK: Senator Clark voting yes.

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

CLERK: 45 ayes, 1 nay, 3 present and not voting. Vote appears on page 1946 of the Legislative Journal.

SENATOR CLARK: The bill is declared passed with the emergency clause attached. The Clerk will read 157E.

CLERK: Read LB 157E on Final Reading.

SENATOR CLARK: All provisions of law having been complied with, the question is, shall the bill pass, LB 157 with the emergency clause. It takes 33 votes. All those in favor vote aye, opposed vote nay.

CLERK: Senator Clark voting aye.

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

CLERK: 42 ayes, 4 nays, 3 present and not voting. Vote appears on page 1947 of the Legislative Journal.

SENATOR CLARK: The bill is declared passed with the emergency clause. I would like to announce that Senator Peterson's daughter, Senator Richard Peterson's daughter Sandy is under the south balcony. Will you stand and be recognized please. Welcome to the Legislature, Sandy. The Clerk will now read 157A.

CLERK: Read LB 157A.

SENATOR CLARK: All provisions of law according to procedure having been complied with, the question is shall 157A with the emergency clause be passed. All those in favor vote aye, opposed vote nay.

CLERK: Senator Clark voting yes.

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

CLERK: 40 ayes, 4 nays, 5 present and not voting. Vote appears on page 1948 of the Legislative Journal.

May 12, 1981

LB 22, 22A, 157, 157A, 158, 158A,  
168, 168A, 197, 197A, 245, 245A,  
253, 253A, 292, 292A, 317, 317A,  
427, 427A, 529

RECESS

SPEAKER MARVEL PRESIDING

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

SPEAKER MARVEL: The Clerk has some items on the desk that need to be read in for the record.

CLERK: Mr. President, I have for your signature LBs 197, 197A, 245 and 245A, LBs 168, 168A, LB 157 and 157A, LB 427 and 427A, LB 292, 292A, LB 317 and 317A, LB 22 and 22A, and LB 158, 158A, and 253 and 253A, Mr. President.

Mr. President, Senator Chronister would like to print amendments to LB 529 in the Journal. (See page 1963 of the Legislative Journal.)

SPEAKER MARVEL: While the Legislature is in session and capable of transacting business, I am about to sign and do sign engrossed LB 197, engrossed LB 197A, engrossed LB 245, engrossed LB 245A, engrossed LB 168, engrossed LB 168A, engrossed LB 157, engrossed LB 157A, engrossed LB 427, engrossed LB 427A, engrossed LB 292, engrossed LB 292A, engrossed LB 317, engrossed LB 317A, engrossed LB 22, engrossed LB 22A, engrossed LB 158, engrossed LB 158A, engrossed LB 253, engrossed LB 253A. Before we begin with some other bills, it is my privilege to introduce a number of visitors from Senator Cope and Kahle's Districts, ten students, 1st to 10th Grade, First Church of God Christian Academy, Kearney, Pastor Larry Lautaret, Jane Perry, teacher and Chester Trew, sponsor. In the north balcony. Will you hold up your hands so we can see where you are? Okay. From Senator Howard Peterson's District, eight students K through 12th Grade, Calvary Academy, Grand Island, Nebraska, Agnes Rich, Louise Bonne and Bonnie Skala, teachers. Where are you located? Okay. From Senator Chronister's District, eleven students from District 9, District 43, Wisner, Nebraska. Miss Koester and Miss Kansier, teachers. North balcony. Where are you located? Okay. From Senator Dworak's District five students, 3rd and 7th Grade from Christian Liberty Academy, Leigh, Nebraska, Susan Turvy, teacher, also Barbara Hall, in the south balcony. Are you in the south or north? From Senator Beutler's District sixteen 4th Graders, Hawthorne Elementary School, Lincoln, Nebraska, Mrs. Stephenson and Mrs. Anderson, teachers, in the north balcony. Where are you located? From Howard Peterson's District seven students K through 12th Grade, York Christian Academy, York, Nebraska, Edward Moray, Irene Moray, teachers. Where are you located? Okay. From

May 12, 1981

LB 22, 22A, 144, 144A, 157, 157A, 158,  
158A, 168, 168A, 188, 188A, 197, 197A,  
204, 204A, 207, 207A, 243, 245, 245A,  
317, 317A, 253, 253A, 292, 292A, 427, 427A

Mr. President, your committee on Enrollment and Review respectfully reports....your Enrolling Clerk reports that she has presented to the Governor those bills that were read this morning on Final Reading. (See page 1977 regarding LBs 207, 207A, 188, 188A, 144, 144A, 204, 204A, 197, 197A, 245, 245A, 168, 168A, 157, 157A, 427, 427A, 292, 292A, 317, 317A, 22, 22A, 158, 158A, 253, 253A, in the Legislative Journal.)

SENATOR CLARK: I would like to announce the guests of Phyllis Todd from Senator Beutler's District, Mr. Kim, Mrs. Kim and Mrs. Bae-Pusan from Seoul, Korea. They are under the south balcony. Will you stand and be recognized, please? They are in the south balcony. Welcome to the Legislature. LB 243.

CLERK: Mr. President, LB 243 was a bill introduced by Senator Schmit. (Read title.) The bill was first read on January 16, referred to Ag and Environment. The bill was considered by the body on April 10, Mr. President. At that time the committee amendments were adopted. There was an amendment from Senator Schmit that was adopted. The bill failed to advance on that date, Mr. President. I have nothing further on the bill.

SENATOR CLARK: Senator Schmit.

SENATOR SCHMIT: Mr. President and members of the Legislature, I am going to ask you once again to consider LB 243. The bill was heard and discussed and debated at length. The previous time it was up it received 23 votes to advance on a Friday afternoon with about 27 or 8 people on the floor. I think that the fact that we have discussed the bill should perhaps wipe out any reason for a lot of lengthy debate. I know there are a lot of other bills that you want to get to today. I just want to say in reply to a piece of material that is lying on your desk, two and a half pages in length, which casts serious doubts about the problems that LB 243 can cause, I want to say this. You will recall that Senator Kremer and myself and along with several...at least 23 others in this body successfully added about \$2 million to the water development fund. There are rumors now that they may want to cut that back in the Executive Office to \$3 million from 4. That means that we will have about an additional \$800,000 in the water development fund, 50 cents per capita. Not exactly an overwhelming amount of public support I would guess for water development. My concern as I have indicated many times on this floor is this, if we are going to use funds that have been generated by a subdivision of government for