

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.)

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.

March 27, 1981

LB 536, 158

SPEAKER MARVEL: The bill is advanced.

SENATOR WESELY PRESIDING

SENATOR WESELY: Mr. Clerk, would you please read LB 158.

CLERK: Mr. President, LB L58 was offered by Senator Marvel at the request of the Governor. (Read.) The bill was read on January 14, referred to Appropriations. The bill was advanced to General File. There are committee amendments pending by the Appropriations Committee, Mr. President.

SENATOR WESELY: Senator Warner, do you wish to take the committee amendments?

SENATOR WARNER: Senator Marvel will take it. He has got it. I move their adoption. They are real good.

SENATOR WESELY: Senator Marvel, do you wish to take the committee amendments to LB 158?

SENATOR MARVEL: I have two sheets that back up the presentation and the first one is the introducer's statement of purpose which states, in effect, that this bill is to create a cash fund for the State Energy Office. This fund will be used to deposit energy audit fees collected from various state agencies. The fees will pay the cost of conducting energy audits of state owned buildings and reporting the results of the audits back to the agencies. The energy savings realized from the conservation measures recommended by each audit will save the state a substantial amount in energy costs. Now the Appropriations Committee has offered a series of amendments to LB 158. There are...the first one, the revolving fund instead of a cash fund; secondly, a two year life, twenty-seven months; third one, audits would be mandatory not voluntary; number four, cost of audit limited to actual cost of the audit not to exceed five cents per square foot; number five, reports of audits are to be submitted to the budget administrator and the legislative fiscal analyst within sixty days and this finally, Mr. President, is the impact of these amendments. The Energy Office could charge up to \$1,500 for a thirty thousand square foot building, \$2,000 for a forty thousand square foot building as opposed to the \$150 and \$200 estimate originally arrived at. The next impact, instead of spending \$73,603 maximum, the Energy Office fiscal note estimates expenditures of \$125,450 in '81-'82 and \$147,393 in '82-'83. The third impact is stated as follows: The staff reduction, the energy auditors could not take place and item number four, the energy office will be hard pressed to do all necessary audits in two years as they have revised their estimates from seventeen hundred

March 27, 1981

LB 158, 330

state buildings to thirty-five hundred to four thousand state owned buildings. Those constitute the background information that has been given to me, Mr. President. I renew my motion to advance the bill.

SENATOR WESELY: The question is the adoption of the committee amendments to LB 158. All those in favor vote aye, opposed nay. Clerk, record.

CLERK: 26 ayes, 0 nays, on adoption of committee amendments.

SENATOR WESELY: The amendments are adopted. The question now is the advancement of the bill, LB 158. No one to speak. Those in favor vote aye, those opposed nay.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Have you all voted? Record the vote.

CLERK: 26 ayes, 2 nays on the motion to advance the bill, Mr. President.

SPEAKER MARVEL: The motion is carried. The bill is advanced. The next item is LB 330.

CLERK: Mr. President, LB 330 was offered by Senator Marge Higgins. (Read.) The bill was first read on January 19. It was referred to the Banking, Commerce and Insurance Committee. The bill was advanced to General File. There are committee amendments pending by the Banking Committee, Mr. President.

SPEAKER MARVEL: Senator Landis, do you want to explain the committee amendments?

SENATOR LANDIS: Mr. Speaker, members of the Legislature, the committee amendment is simply technical in nature in that we are only capable of regulating domestic insurance corporations since foreign insurance corporations are regulated by the states in which they are domiciled and for that reason the committee chose to interpolate the word "domestic" into the projected bill for the purpose of making it clear that that is whom we intend to regulate by LB 330. We could do no other. It is just that this is making it explicit in statute that we intend this to apply only to domestic insurance corporations.

SPEAKER MARVEL: The motion is the adoption of the committee amendments as explained by Senator Landis. All those in favor vote aye, opposed vote no. Record the vote.

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 200, 158, 330, 58,
491, 536

CLERK: 26 ayes, 0 nays on the adoption of Senator Carsten's amendment.

SPEAKER MARVEL: The motion is carried, the amendment is adopted. Senator Kilgarin, do you wish to advance LB 200.

SENATOR KILGARIN: I move LB 200 be advanced to E & R for Engrossment.

SPEAKER MARVEL: All those in favor of that motion say aye, opposed no. Motion is carried. Before we go to the next item in the north balcony it is my privilege to introduce from Senator Rumery's district 18 students from Mid-Plains Community College, North Platte, Nebraska, Criminal Justice Club and Don Grubbs the instructor. Are you folks still upstairs? Okay, your presence will be recorded in the Journal. LB 536 has an amendment and Senator Beutler is not here. If there are no objections we will pass over that and take it up tomorrow. LB 158. Senator Kilgarin.

SENATOR KILGARIN: I move LB 158 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. The next bill is LB 330. Senator Kilgarin.

SENATOR KILGARIN: I move LB 330 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 58.

SENATOR KILGARIN: I move the E & R amendment to LB 58.

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

SENATOR KILGARIN: I move LB 58 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. The next is LB 491.

SENATOR KILGARIN: I move LB 491 be advanced to E & R for Engrossment.

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 Ne-
braska 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 158, 253

CLERK: Read LB 158.

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. 158. Record the vote.

CLERK: 42 ayes, 4 nays, 3 present and not voting. Vote appears on page 1957-58 of the Legislative Journal.

SPEAKER MARVEL: The bill is declared passed on Final Reading. The Clerk will now read 158A.

CLERK: Read LB 158A 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. LB 158A. Record the vote.

CLERK: 42 ayes, 4 nays, 3 present and not voting. Vote appears on pages 1958-59 of the Legislative Journal.

SPEAKER MARVEL: The bill is declared passed on Final Reading. The Clerk will now read 253 on Final Reading.

CLERK: Read LB 253 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, those opposed vote no. LB 253 with emergency clause. While we are waiting for the vote from Senator Kremer's district in the north balcony we welcome 28 fourth, fifth and sixth grade students from Hampton Public School, Hampton, Nebraska and the teacher is Mrs. Lois Ahl. Where are you folks located, will you hold up your hand. Welcome to the Unicameral. Record the vote. This bill requires 33 votes. Have you all voted? Okay, record the vote. Roll call has been requested. Do you want to record your presence please. Have you all recorded your presence? As soon as we get through this vote we will recess over the noon hour. Senator Howard Peterson will you press your button. Senator Warner will you. . . . Senator Clark. The Clerk is authorized to take in call in votes.

CLERK: Stoney changing from no to yes.

SPEAKER MARVEL: Okay, record.

CLERK: 33 ayes, 15 nays, 1 present and not voting. Vote appears on page 1960 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

May 18, 1981

LB 158, 158A, 197, 197A,
LB 352, 204, 204A, 245,
245A, 292, 292A, 383, 512

take your seats and the Sergeant at Arms please get those who are not in the Chamber. There are none excused. I take it back, Senator Higgins is excused. Senator Koch and Senator Fowler, would you punch in please? Senator Maresh, Senator Wiitala, Senator Warner, Senator Lamb, Senator Hefner, Senator Newell, Senator Landis, Senator Hoagland, Senator Pirsch. Senator Koch, did you ask for a roll call vote? Okay.

CLERK: Mr. President, while we are waiting, your committee on Public Works reports LB 383 to General File with amendments.

Senators Peterson, Nichol, Burrows, Lowell Johnson, and Sieck would like to print amendments to 512; Senators Beutler and DeCamp to LB 352.

Mr. President, a communication from the Governor addressed to the Clerk. (Read. Re: LBs 158, 158A, 197, 197A, 204, 204A, 245, 245A, 292, 292A. See page 2090, Legislative Journal.)

SENATOR NICHOL: Senator Lamb and Senator Carsten are the two that are not here yet. Senator Koch.

SENATOR KOCH: Mr. Chairman, can we take call in votes and speed this up?

SENATOR NICHOL: If you would like.

CLERK: Senator Chronister voting yes. Senator Hefner voting yes. Senator Hoagland voting yes.

SENATOR NICHOL: Record, Mr. Clerk.

CLERK: 26 ayes, 19 nays, Mr. President, on the motion to advance the bill.

SENATOR NICHOL: The bill is advanced.

CLERK: Mr. President, finally, the last item I am going to read in is a new resolution offered by Senators Kremer, Haberman and Rumery. (Read. See page 2092, Legislative Journal.) That will be laid over, Mr. President.

And, Mr. President, I have notice of hearing from Senator Warner regarding a meeting of the special committee regarding Federal-State-Local Fiscal and Program Policy.

SENATOR NICHOL: You will recall that Speaker Marvel announced