

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.)

April 14, 1981

LB 3, 58, 160, 161, 163,  
200, 283, 330, 346, 371,  
407, 437, 491.

do you have budget bills?

CLERK: Yes, sir. Mr. President, if I may right before we go to that, your Committee on Appropriations whose Chairman is Senator Warner reports LB 160 to General File, 161 to General File with amendments, and 163 to General File with amendments. Those are signed by Senator Warner as Chairman. (See pages 1457 and 1458 of the Legislative Journal.)

Your Committee on Enrollment and Review respectfully reports they have carefully examined and reengrossed LB 58 and find the same correctly reengrossed, 283 engrossed, and 491 engrossed. Your Enrolling Clerk has presented to the Governor LB 200, 283, 330, 371, 407 and 437.

Senator Johnson would like to print amendments to LB 3, and Senator Johnson amendments to 346. (See page 1459 of the Legislative Journal.)

Mr. President, Senator Warner as Chairman of the Appropriations Committee moves for the introduction of Request #931.

SPEAKER MARVEL: The Chair recognizes Senator Warner.

SENATOR WARNER: Mr. President, I move the bill be introduced. This will be one of six bills that we will be requesting to have introduced. They will cover the general operations of state government, and if they are introduced, I then would ask to have them placed on General File as we normally do so they can be printed immediately. I also would point out that beginning tonight and tomorrow night and other times as requested we will be giving briefings for the members of the Legislature on the appropriations, and you will have a booklet in your offices sometime this afternoon which will summarize each of the agencies' requests and the Governor's, as well as the committee's recommendation for that request. So with that explanation, Mr. President, I move the bill be introduced.

SPEAKER MARVEL: The motion is the introduction of the bill as explained by Senator Warner. All in favor of that motion vote aye, opposed vote no. It takes 30 votes. Record.

CLERK: 33 ayes, 1 nays on the motion to introduce, Mr. President.

SPEAKER MARVEL: The motion is carried.

CLERK: Mr. President, Senator Warner moves to introduce

April 23, 1981

LB 232, 160, 161

CLERK: 26 ayes, 2 nays, Mr. President, on the motion to advance LB 232.

SPEAKER MARVEL: The bill is advanced. We now go to LB 160.

CLERK: Mr. President, LB 160 (read title). The bill was read on January 14, referred to Appropriations. The bill was advanced to General File, Mr. President.

SPEAKER MARVEL: Senator Warner.

SENATOR WARNER: Mr. President, I move that LB 160 be advanced. As the title states, it is the salary bill for the members of the Legislature and as required by the Constitution contains no other subject and reflects the full authorized expenditure of the Constitution of \$400 a month. I move the bill be advanced.

SPEAKER MARVEL: The motion is to advance LB 160. All those in favor of advancing the bill vote aye, opposed vote no. Record the vote.

CLERK: 29 ayes, 0 nays on the motion to advance 160, Mr. President.

SPEAKER MARVEL: The motion is carried. The bill is advanced. Are you ready to discuss 161?

CLERK: Mr. President, LB 161 offered by the Speaker at the request of the Governor. (Read title). The bill was read on January 14, referred to Appropriations. The bill was advanced to General File. There are committee amendments pending, Mr. President.

SENATOR WARNER: Mr. President, I move LB...there are committee amendments?

CLERK: Yes, sir. (Read Standing Committee amendment found on page 1457 of the Journal.)

SENATOR WARNER: I move adoption of the amendments. The two amendments reflects the adjustment in the salary reflecting the state salary policy of the court reporter of the Supreme Court and of the Tax Commissioner's Office. Right? Excuse me, no. I am sorry. It is the Clerk of the Supreme Court and the court reporter only. I move that the amendment be adopted.

SPEAKER MARVEL: The motion is the adoption of the committee amendments to LB 161. All those in favor of adopting those

April 23, 1981

LB 161, 557

amendments vote aye, opposed vote no. Have you all voted?  
Record the vote.

CLERK: 27 ayes, 0 nays, Mr. President, on the motion to  
adopt the committee amendments.

SPEAKER MARVEL: The motion is carried. The amendment is  
adopted. Senator Warner, do you want to explain 161?

SENATOR WARNER: Now I move that the bill be advanced to  
E & R Initial. To go back to the two I forgot for a moment,  
the court reporter and the clerk of the Supreme Court, the  
reason for the amendment, it reflects the salary policy  
of the eight, the difference between the eight and nine  
percent as the bill had in it. All of the other constitu-  
tional officers contained in the bill salary level reflects  
the statutory level authorized by law and continues that  
level for each of those positions during the coming fiscal  
year. Of course it cannot be changed other than by law  
so...and again as required by the Constitution, those  
salaries must be contained in a separate appropriation bill.  
So I move the bill be advanced.

SPEAKER MARVEL: The motion is to advance 161 to E & R for  
Review. All those in favor vote aye, opposed vote no. Have  
you all voted? Record.

CLERK: 26 ayes, 0 nays on the motion to advance the bill,  
Mr. President.

SPEAKER MARVEL: Motion is carried. LB 161 is advanced  
to E & R for Review. LB 557.

CLERK: Mr. President, LB 557 (read title). The bill was  
first read on April 14 of this year, Mr. President. It  
was referred directly to General File.

SPEAKER MARVEL: Do you want to explain the bill, Senator  
Warner?

SENATOR WARNER: Yes, sir. Those of you who are using the  
blue book, this starts Section 2, page 28. These are the  
traditionally cash funded only agencies with one minor  
exception which is the Department of Aeronautics and I  
move that the bill be advanced. The only thing I might  
mention at this point, because the rest of the next three  
bills all contain some across-the-board policies relative  
to salaries and other policies that the Appropriations  
Committee is recommending, and, briefly, it is this. In  
the area of salaries, it is generally a nine percent,

April 27, 1981

LB 160, 161, 163, 232, 241,  
252, 326, 557-562

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer this morning by the Reverend Dwayne Lueck from Trinity Lutheran Church, Martinsburg, Nebraska. This is Senator VonMinden's pastor.

REV. LUECK: Prayer offered.

PRESIDENT: Roll call. Has everybody registered your presence? 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: Mr. President, correction, page 1577, line 7, add Senator Hefner's name after Sieck.

PRESIDENT: Correction so ordered. Any messages, reports or announcements, Mr. Clerk?

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 252 and recommend that same be placed on Select File with amendments; LB 326 Select File with amendments; LB 232 Select File with amendments; LB 160 Select File; LB 161 Select File; LB 557 Select File; LB 558 Select File; LB 559 Select File with amendments; LB 560 Select File; LB 561 Select File; LB 163 Select File with amendments; LB 562 Select File, all signed by Senator Kilgarin as Chair.

Mr. President, LR 60 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 60. We are ready then for agenda item #4. The Sergeant at Arms will see that all members are at their desks and clear the aisles for Final Reading. We are ready for Final Reading as soon as everyone takes their places. We are about ready for Final Reading. As soon as everyone is in their place we will commence Final Reading. All right, we will commence. The first bill on Final Reading, Mr. Clerk, is LB 241.

CLERK: (Read LB 241 on Final Reading.)

PRESIDENT: (Interrupts reading.) Pardon me, Mr. Clerk, will you stop please. Senator Koch, for what purpose do you arise?

April 30, 1981

LB 160, 161, 557, 558

SENATOR WARNER: I move the bill be advanced, Mr. President.

SPEAKER MARVEL: The motion is to advance the bill, 160. Is there any discussion? All those in favor of that motion vote aye, opposed vote no. Okay, all in favor of advancing the bill say aye. Opposed no. The motion is carried. The bill is advanced. Next, Mr. Clerk.

CLERK: Mr. President, 161 has nothing on it.

SPEAKER MARVEL: Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 161.

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

CLERK: Mr. President, LB 557. I have nothing on the bill.

SPEAKER MARVEL: Do you want to move the E & R amendments?

SENATOR KILGARIN: There aren't any.

CLERK: No, just the advancement, Senator.

SPEAKER MARVEL: Do you want to advance the bill?

SENATOR KILGARIN: I move we advance LB 557.

SPEAKER MARVEL: The motion is to advance 557. All those in favor of that motion say aye. Opposed no. The motion is carried. The bill is advanced.

CLERK: Mr. President, 558, I have no E & R amendments. I do have an amendment from Senator Beutler. The purpose is to provide \$25,000.....Senator Beutler, Mr. President, moves to amend 558....(Read the Beutler amendment as found on page 1664 of the Legislative Journal.) That is offered by Senator Beutler.

SPEAKER MARVEL: The Chair recognizes Senator Beutler.

SENATOR BEUTLER: Mr. Speaker and members of the Legislature, let me give you a little bit of history on this particular amendment. As most of you will recall, the whole redistricting discussion really came up in the Legislature a couple years ago when Senator Cullan came in and we had some redistricting out in Alliance, and we had some redistricting done in Columbus. And the process that was begun at that point in time probably began before that,

May 4, 1981

LR 72-75  
LB 548, 549, 134,  
160, 161, 179, 232

SPEAKER MARVEL PRESIDING

CLERK: Mr. President, Senator Johnson and Hoagland would like to be excused until they arrive.

SPEAKER MARVEL: We are on. . . . Okay, record the vote.

CLERK: Quorum present, Mr. President.

SPEAKER MARVEL: Do you have some things to read in?

CLERK: Mr. President, your committee on Business and Labor whose chairman is Senator Maresh reports LB 548 to General File with amendments, LB 549 indefinitely postponed, both signed by Senator Maresh as Chair.

Mr. President, new resolutions LR 72 calling for an interim study by the Banking Committee regarding continuing study of LB 137, LR 73 offered by the Banking Committee regarding continuation study of LB 358 and LR 74 by the Banking Committee to study the Nebraska Investment Council's formulation of establishment of policies to govern its methods, practices and procedures.

Mr. President, LR 75 by Senator Beyer. Read LR 75. That will be laid over Mr. President.

Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 134 and find the same correctly engrossed, 160, 161, 179 and 232 all correctly engrossed. (Signed) Senator Kilgarin, Chair.

May 6, 1981

LB 557, 232, 160, 161,  
163

PRESIDENT: He is ignoring you as only he can do. He is over there ignoring you, he is so surrounded by. . . you missed your chance. We will go ahead then to the next item, under agenda item number five, which is on motions on returning to Select File for specific amendment, the budget, starting with LB 232, Mr. Clerk.

CLERK: Mr. President, I have no motions on 232.

PRESIDENT: All right shall we go on to 160 then.

CLERK: Mr. President, I have no motions on LB 160.

PRESIDENT: All right, what about 161?

CLERK: I have nothing on 161.

PRESIDENT: What about 163?

CLERK: I have nothing on 163.

PRESIDENT: Would you try 557.

CLERK: Mr. President, I do have a motion on 557. Senator DeCamp would move to return LB 557 to Select File for a specific amendment. The amendment is found on page 1756 of the Journal and it would read as follows. Read DeCamp amendment.

PRESIDENT: All right. Before we do could we have a little bit of order. It is very hard to hear and this is a very important appropriations matter.....draw your attention it is LB 557. The Chair recognizes Senator DeCamp.

SENATOR DeCAMP: I need a Page to hand out some things. Mr. President and members of the Legislature, I'm not going to try to take very much time on this, I happen to know the outcome, I can count and my good friends can count but I think I have to make some points because it may be important in the future. So, in the minutes that I have on the opening statement I'm going to tell you the mechanics of what I am proposing overall, the net effect of what I am proposing, the net effect of going ahead without the proposal, at least in my opinion and then in my closing on the issue I will deal with some philosophical things. There are a number of motions. I will tell you in advance so we don't waste time, if the first one fails, I'll withdraw all of the others, so that is an incentive I suppose to make it



May 7, 1981

LR 116  
LB 172, 216, 303, 322, 344,  
411, 529, 529A, 559, 160, 161

of the Chamber. That's the big thing. All right, we will proceed then, Mr. Clerk, with the reading of LB 559.

CLERK: (Read LB 559 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 559 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Read the record vote as found on page 1813 of the Legislative Journal.) 42 ayes, 1 nay, 6 excused and not voting, Mr. President.

PRESIDENT: LB 559 passes with the emergency clause attached. You may read some things in, Mr. Clerk.

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined LB 303 and recommend that same be placed on Select File; LB 216, Select File; LB 322, Select File with amendments; 411, Select File with amendments; 344, Select File with amendments; 172, Select File with amendments; LB 529, Select File, with amendments; LB 529A, Select File with amendments. (See pages 1815 through 1817 of the Legislative Journal.) Mr. President, new resolution, LR 116, offered by Senator Rumery. (Read LR 116 as found on page 1815 of the Legislative Journal.) Mr. President, that will be laid over pursuant to our rules. That's all that I have, Mr. President.

PRESIDENT: We will proceed then, Mr. Clerk, with LB 160.

CLERK: (Read LB 160 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 160 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Read the record vote as found on page 1814 of the Legislative Journal.) 43 ayes, 1 nay, 5 excused and not voting, Mr. President.

PRESIDENT: LB 160 passes with the emergency clause attached. The next bill on Final Reading is LB 161.

CLERK: (Read LB 161 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure

May 7, 1981

LB 161, 163, 232, 557

having been complied with, the question is, shall LB 161 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Read the record vote as found on pages 1814 and 1815 of the Legislative Journal.) 44 ayes, 0 nays, 5 excused and not voting, Mr. President.

PRESIDENT: LB 161 passes with the emergency clause attached. The next bill on Final Reading, Mr. Clerk, is LB 232.

ASSISTANT CLERK: (Read LB 232 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 232 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Record the vote.

CLERK: Senator Nichol voting aye. (Read the record vote as found on pages 1817 and 1818 of the Legislative Journal.) 43 ayes, 2 nays, 3 excused and not voting, 1 present and not voting, Mr. President.

PRESIDENT: LB 232 passes with the emergency clause attached. The next bill on Final Reading is LB 163.

CLERK: (Read LB 163 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 163 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Read the record vote as found on page 1818 of the Legislative Journal.) 45 ayes, 0 nays, 2 excused and not voting, 1 present and not voting, Mr. President.

PRESIDENT: LB 163 passes with the emergency clause attached. The next bill on Final Reading is LB 557.

CLERK: (Read LB 557 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 557 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Read the record vote as found on page 1819 of the Legislative Journal.) 47 ayes, 1 nay, 1 excused and not voting, Mr. President.

May 7, 1981

LR 117, 118  
LB 160, 161, 163, 232, 557,  
LB 389, 558, 559, 560, 561,  
562

be reviewed before anybody would receive any assistance under this program to ensure that some existing program can't take care of their needs. So all it is is an amendment to add educational programs to that other list to make sure that we don't provide assistance that can't otherwise be provided.

SPEAKER MARVEL: All those in favor of the adoption of the Wesely amendment, or the...yes, it's the Wesely amendment, isn't it....Wesely-Schmit amendment vote aye, opposed vote no. While we are waiting for your vote, from Senator Lowell Johnson's area it is my privilege to recognize thirty-five 7th and 8th Graders from Trinity Lutheran School, Fremont, Nebraska, four teachers and Harold Bergt, in the north balcony. Will you hold up your hands so we can see where you are and welcome you to the Unicameral. From Senator Fenger's District ninety-seven 4th Graders, Belleaire School, Bellevue, Nebraska, Myrtle Bailey, Marge Mosier, Connie Franklin and Ray Nesbitt teachers, in the north balcony. Where are you located, please? Welcome to the Unicameral. And from Senator Beyer's District four Sophomores from Papillion High School, Corey Swanson, Laurie Thompson, Kathy Gothier and Michelle Buchard, all from Papillion, and they are a part of the American Political Behavior Class. Are you still up there? Okay. The record will indicate they were here. Record.

CLERK: 26 ayes, 0 nays, Mr. President, on adoption of the Wesely-Schmit amendment.

Mr. President, if I may before we proceed to the next amendments, Senator Dworak would like to offer explanation of votes. I have study resolutions from Senator Vickers, LR 117. The purpose of this study is to examine irrigation development in the Sandhills region of Nebraska. (See page 1824 of the Legislative Journal.) LR 118, by Senator Hoagland. The purpose of the resolution is to study the adequacy of existing laws in Nebraska regulating the sale and possession on handguns. (See page 1825 of the Legislative Journal.) That will be...both referred to the Executive Board, Mr. President.

Mr. President, budget bills are ready for your signature.

SPEAKER MARVEL: While the Legislature is in session and capable of transacting business, I am about to sign and do sign LB 160, 161, 163, 232, 557, 558, 559, 560, 561 and 562.

CLERK: Mr. President, the next amendment I have to LB 389 is offered by Senator Maresh. (Read the Maresh amendment

May 13, 1981

LB 412, 160, 161, 163, 232,  
557, 558, 559, 560, 562

are related and as the interest rate goes up, unless you are going to drive up the price of land even higher, the interest rate goes up then the period of time which is set necessarily must be reduced. For that reason I move the three year provision.

SENATOR CLARK: Being that I was told to close at four o'clock, it is now eight minutes after four, we still have to read the Governor's message, we are going to break off right here and read the Governor's message. Then we will adjourn for the day.

CLERK: Mr. President, I have a series of things. The first obviously is the Message from the Governor addressed to Dear Mr. President and Senators: (Read letter as it appears on pages 2006-2008 of the Legislative Journal).

Mr. President, in conjunction with that I have a letter addressed to the Clerk, from the Governor, Engrossed Legislative Bills 160, 161, 163, 232, 557, 558, 559, 560 and 562 were received in my office on May 7th. These bills were signed by me on May 13th and delivered to the Secretary of State. Sincerely, (signed) Charles Thone, Governor.

Mr. President, Senator Wagner would like to print amendments to LB 302 in the Legislative Journal.

Your Enrolling Clerk has presented for the Governor his approval of bills that were read on Final Reading today, Mr. President.

SENATOR CLARK: Senator Remmers, would you like to adjourn us until 9:00 a.m., tomorrow morning.

SENATOR REMMERS: Mr. Speaker, I move we adjourn until 9:00 a.m. Thursday morning.

SENATOR CLARK: You heard the motion. All in favor say aye, opposed, we are adjourned until 9:00 a.m., tomorrow morning.

Edited by L. M. Benischek  
L. M. Benischek