

March 11, 1981

LR 12
LB 17, 22A, 168A, 258A,
132, 133, 245, 349

CLERK: Senator Remmers would like to add his name as co-introducer to LB 132.

SPEAKER MARVEL: Any objection? So ordered.

CLERK: Mr. President, Senator Clark and Warner offer amendments to LB 133; Senator Vickers and others would like to print amendments to LB 245.

Business and Labor Committee will hold an exec session Thursday, March 12 at one o'clock in Room 1019.

Banking Committee reports LB 349 to General File.

New A bills, 22A by Senator Landis. (Title read.)
168, a new A bill offered by Senator Carsten. (Title read.)
258A by Senator Hefner. (Title read.)

Banking Committee reports LR 12 back to the Legislature for their consideration.

Senator Warner moves to place LB 133 on General File notwithstanding the action of the Banking, Commerce and Insurance Committee.

Priority bill designation by Senators Goodrich, Labedz, and the Constitutional Revision and Recreation Committee.

Senator Koch would like to print amendments to LB 17 in the Journal, Mr. President.

SPEAKER MARVEL: As we adjourn this morning, I would remind you of the deadline on the 13th of this month as far as priority bills are concerned, and if we can be of assistance to you, why please let us know. Senator Maresh, will you adjourn us until nine o'clock tomorrow morning?

SENATOR MARESH: Mr. Speaker, I move that we adjourn until tomorrow, March 12th, 9:00 a.m.

SPEAKER MARVEL: All those in favor of that motion say aye, opposed no. The motion is carried and we are adjourned until 9:00 a.m. tomorrow, March 12th.

Edited by:


Mary A. Turner

March 26, 1981

LB 168, 168A

that the committee amendments have stricken that, and all it is is a sticker that says that the tax has been paid. So I think it will relieve the problem and the question that you have.

SENATOR HIGGINS: Okay, I didn't get a copy of the amendment.

SENATOR CARSTEN: No, I....

SENATOR HIGGINS: But you don't have the name and address on it anymore?

SENATOR CARSTEN: No.

SENATOR HIGGINS: Fine.

SENATOR CARSTEN: That's been stricken.

SENATOR HIGGINS: Thank you, Senator.

SPEAKER MARVEL: Did you move the advancement of the bill? Okay. All those in favor of the advancement of the bill vote aye, opposed vote no. Record the vote.

CLERK: 29 ayes, 0 nays on the motion to advance the bill.

SPEAKER MARVEL: The motion is carried. The bill is advanced.

CLERK: Mr. President, LB 168A...(Read title). I have an amendment from Senator Carsten, Mr. President, to add the emergency clause to the bill.

SPEAKER MARVEL: Senator Carsten.

SENATOR CARSTEN: Mr. President, the A bill as it is printed does not have an E clause on it and it does need that so that the Department of Revenue can get that in operation as quickly as it is passed so they can get it on the road to the county level. So I would move for the adoption of the E clause to 168A.

SPEAKER MARVEL: All those in favor of that motion vote aye, opposed vote no. It's the emergency clause on 168. Have you all voted? Have you all voted? Record the vote.

CLERK: 29 ayes, 0 nays, Mr. President, on adoption of the emergency clause.

March 26, 1981

LB 168A

SPEAKER MARVEL: The motion is carried. The emergency clause is adopted.

SENATOR CARSTEN: Now I move 168A as amended to E & R Initial. It's a minimal amount of \$5000 to provide for the expense of printing the stickers and the mailing to the county level.

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

CLERK: 32 ayes, 0 nays, Mr. President, on the motion to advance the bill as amended.

SPEAKER MARVEL: The bill is advanced. Senator Dworak, do you want to take up LB 78? Okay.

March 30, 1981

LB 59, 168, 168A,
258, 292, 384

Wittala, Senator Warner, Senator Cope, Senator Wesely, Senator Schmit, Senator Beutler, Senator Vard Johnson, Senator Sieck, Senator Lowell Johnson, Senator Peterson, Senator Dworak, Senator Chronister, Senator Chambers. Senator Wesely, Senator Chambers. Will all legislators please take your seats so we can proceed? Senator Cullan, shall we proceed? Do you want a roll call vote?

CLERK: (Roll call vote taken. See page 1194, Legislative Journal.) 24 ayes, 21 nays on the motion to indefinitely postpone, Mr. President.

SPEAKER MARVEL: Okay, the bill is deceased. The Call is raised.

CLERK: Mr. President, while we are waiting, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 384 and recommend that same be placed on Select File; LB 59, Select File, 168, Select File and LB 168A, Select File. (Signed) Senator Kilgarin, Chair. (See pages 1195 and 1196 of the Legislative Journal.)

SPEAKER MARVEL: The next order of business is LB 292.

CLERK: Mr. President, LB 292 was a bill introduced by Senators Maresh, DeCamp and Kilgarin. (Read title.) The bill was first read on January 19. It was referred to the Government Committee. The bill was advanced to General File and I do have committee amendments pending by the Government Committee, Mr. President.

SPEAKER MARVEL: Senator Kahle.

SENATOR KAHLE: Mr. President and members, the committee amendments are basically the bill now, and, of course, the bill was heard before the Government, Military and Veterans Affairs Committee on February the 12th. If you look in your bill book, you will see the procedure that was taken. This is a forms management bill and, of course, in order to explain the amendment I almost have to explain the bill, and I am sure that those that introduced it will be a little bit more informed than myself. But it seems that we have a great number of forms in the procedure of state government. And I think you have all heard complaints over the years that, my gosh, how many forms do we have and how many do we have to fill out to get something done? In our education system, in our... anything that you do in the State of Nebraska or perhaps anywhere else for that matter, you have an enormous amount

April 2, 1981

LB 39, 168A, 329,
333, 384, 483

Mr. President, I have a series of amendments from Senators...two amendments from Senator Wesely to LB 384 and an amendment from Senator Koch to LB 39. (See pages 1281-1282 of the Legislative Journal.)

SPEAKER MARVEL: Okay, Senator Kilgarin, we have the A bill, 168A.

SENATOR KILGARIN: I move LB 168A be advanced to E & R for engrossment.

SPEAKER MARVEL: All those in favor of that motion say aye, opposed no. The motion is carried. Are we ready for 329, Mr. Clerk?

CLERK: Yes, sir, there are E & R amendments to 329, Senator. E & R amendments.

SPEAKER MARVEL: Senator Kilgarin.

SENATOR KILGARIN: I move the E & R amendment to LB 329.

SPEAKER MARVEL: All those in favor of that motion say aye, opposed no. The motion is carried. The amendment is adopted.

CLERK: I have nothing further on the bill, Senator.

SPEAKER MARVEL: 329?

CLERK: Yes, sir.

SENATOR KILGARIN: I move LB 329 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 one is 333.

CLERK: There are E & R, Senator.

SENATOR KILGARIN: I move the E & R amendments to LB 333.

SPEAKER MARVEL: All those in favor of that motion say aye, opposed no. The motion is carried. The amendment is adopted.

CLERK: Nothing further on the bill.

SENATOR KILGARIN: I move LB 333 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. Next bill is 483.

April 6, 1981

LB 59, 167, 168, 168A,
329, 333, 483, 241

engrossed; 167, 168 and 168A, 329, 333 and 483 all correctly engrossed. (Signed) Senator Kilgarin, Chair.

Mr. President, LB 241 was introduced by Senator Don Wesely and Senator Haberman. (Read title). The bill was first read on January 16. It was referred to Urban Affairs for public hearing. The bill was advanced to General File. There are committee amendments pending by the Urban Affairs Committee, Mr. President.

SENATOR KAHLE: Senator Landis, will you give us the committee amendments?

SENATOR LANDIS: Mr. Speaker, members of the Legislature, LB 241 is the sign bill. It is the death struggle between the City of Lincoln and various members of the outdoor advertising industry. It is the Roy Mehmken Memorial Scholarship Fund bill and this bill came through the Urban Affairs Committee. The committee heard the bill and took proponents and opponents which you will find listed in the committee statement. At the conclusion of the hearing, the committee made some alterations, struck some language from the bill, striking lines 10 through 12 on page 2 and indicated a formula to describe what full economic value was and that language appears in the committee amendment, in the first ten lines of the committee amendment. The addition of the words "a legally erected" sign was for the purpose of clarification and, lastly, there is with the striking of some language that appears on page 3 and on page 4, by striking some of the new language the committee intends to create in effect a grandfathering mechanism so that signs which are now unconfirming uses may continue to be unconfirming uses or at the city's discretion, if they wish to force the taking down of a nonconforming sign that is presently legally erected that they will pay either relocation costs or the value of the formula that appears in the committee amendments. So those are the three things that the committee amendment does. It indicates clearly the formula of repayment. It adds the qualifier "a legally erected" sign, and, thirdly, by striking some of the language in the bill, it creates in effect the option of the city to keep these signs which they declare to be nonconforming uses as nonconforming uses until such time, well, in the normal course of events they would fall down or need repair, and as all of those of you who are familiar with zoning, that means that at that time you may not replace a nonconforming use but, in fact, you will have to take the sign down. That is what the committee amendments do and I would urge the adoption by the body. Let me say this, I understand there is some controversy on

May 12, 1981

LB 39A, 168, 168A

CLERK: Senator Clark voting aye.

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

CLERK: 27 ayes, 0 nays on adoption of the Kahle amendment, Mr. President.

SENATOR CLARK: The amendment is adopted. Senator Kahle.

SENATOR KAHLE: Mr. President, I move LB 39A back to E & R for Engrossment.

SENATOR CLARK: You heard the motion. All those in favor say aye, all opposed. The bill is advanced. Another motion on 39?

CLERK: No sir, I have nothing further on the bill.

SENATOR CLARK: All right, we will take up LB 168.

CLERK: Read LB 168 on Final Reading.

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

CLERK: Senator Clark voting aye.

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

CLERK: 46 ayes, 1 nay, 2 present and not voting. Vote appears on page 1945 of the Legislative Journal.

SENATOR CLARK. The bill is declared passed with the emergency clause attached. I would like to introduce a guest of Senator Goll under the north balcony, Miss Jean Haskell, a law student at Creighton, from Laurel, Nebraska. Will you stand and be recognized please, if she is still there. Also we have 55 fourth grade students from Dawes Elementary School, from Senator Beutler's district, Mrs. Haney, Mrs. Fabry and Mrs. McClain are the teachers. They are in the north balcony. Will you raise your hands so you can be recognized please. Welcome to the Legislature. The Clerk will read 168A.

CLERK: Read LB 168A on Final Reading.

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