

January 15, 1981

LB 193-222

rules which the motion is before the desk.

SPEAKER MARVEL: Any further discussion? All those in favor of that motion vote aye, opposed vote no. Have you all voted? The motion is the Wesely motion. Have you all voted? Record the vote.

CLERK: 25 ayes, 10 nays on adoption of the permanent rules, Mr. President.

SPEAKER MARVEL: The motion is carried and the amendment is adopted. Senator Cullan wants to meet with the Public Health and Welfare Committee underneath the south balcony. Is that right, Senator Cullan? What is the next item?

CLERK: Mr. President, I have a series of matters to read in, if I may. First of all, Senator DeCamp offers a proposed rule change which will be submitted to the Rules Committee for their consideration. (See pages 180 and 181 of the Legislative Journal.)

Mr. President, new bills: LB 193 (Title read). LB 194 (Title read). LB 195 (Title read). LB 196 (Title read). LB 197 (Title read). LB 198 (Title read). LB 199 (Title read). LB 200 (Title read). LB 201 (Title read). LB 202 (Title read). LB 203 (Title read). LB 204 (Title read). LB 205 (Title read). LB 206 (Title read). LB 207 (Title read). LB 208 (Title read). LB 209 (Title read). LB 210 (Title read). LB 211 (Title read). LB 212 (Title read). LB 213 (Title read). LB 214 (Title read). LB 215 (Title read). LB 216 (Title read). LB 217 (Title read). LB 218 (Title read). LB 219 (Title read). LB 220 (Title read). LB 221 (Title read). LB 222 (Title read). (See pages 181 through 188 of the Legislative Journal.)

Mr. President, in addition your Committee on Business and Labor gives notice of public hearing for Wednesday, January 28. (See page 189 of the Legislative Journal.)

Mr. President, communication from the Chairman of the Executive Board which will be inserted in the Legislative Journal. (See page 189 of the Journal.)

Mr. President, I have an Attorney General's Opinion addressed to Senator Beutler regarding deferred compensation funds which will be inserted in the Legislative Journal. (See pages 189 through 192 of the Journal.)

SPEAKER MARVEL: May I have the attention of the members of the Legislature for just a second. I think the last few days have been tough on all of us. I think we are all

February 19, 1981

LB 28, 42, 156, 194, 196

CLERK: Mr. President, your committee on Urban Affairs whose Chairman is Senator Landis to whom we referred LB 194 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File: LB 196 Indefinitely postponed. (Signed) Senator Landis, Chair.

PRESIDENT: As soon as the legislators are at their desks, we will commence with Final Reading. Proceed with Final Reading, Mr. Clerk. LB 28 is the first bill on Final Reading.

CLERK: Mr. President, LB 28. (Read on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 28 pass? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Record vote read. See page 568, Legislative Journal.) 46 ayes, 0 nays, 3 excused and not voting, Mr. President.

PRESIDENT: LB 28 passes. The next bill on Final Reading is LB 42.

CLERK: Mr. President, LB 42. (Read on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 42 pass? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Record vote read. See page 569, Legislative Journal.) 48 ayes, 0 nays, 1 excused and not voting, Mr. President.

PRESIDENT: LB 42 passes. The next bill on Final Reading is LB 156.

CLERK: LB 156. (Read on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 156 pass with the emergency clause attached. All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Record vote read. See page 570, Legislative Journal.) 48 ayes, 0 nays, 1 excused and not voting, Mr. President.

PRESIDENT: LB 156 passes with the emergency clause attached and that will conclude Final Reading at this point today. Do you want to read some things in, Mr. Clerk?

March 6, 1981

LB 425, 194

that these companies that do business in other states must make a filing with that insurance commissioner, and if they are a nonadmitted company, that that requires another kind of license and we are not eliminating that requirement. That is a surplus lines license. So we are really talking about only those companies that have prior filing in the states they are doing business with. Okay?

SENATOR VICKERS: Thank you, Senator Dworak. That was one of my concerns. It seems to me that we have had in the past, at least in life insurance, agents coming from God knows where into Nebraska selling life insurance and I wanted to make sure we weren't opening that door to that other set of insurance agents also. Thank you, Senator Dworak.

SPEAKER MARVEL: Now before we advance the bill, the Public Health and Welfare will meet under the South balcony at 10:30 a.m. for a short meeting. The motion is the advancement of LB 425 to E & R for Review. All those in favor of the motion vote aye, opposed vote no. Record the vote.

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

SPEAKER MARVEL: The motion is carried. The bill is advanced. The next bill is LB 194.

CLERK: Mr. President, LB 194 was a bill introduced by Senator Robert Clark. (Read title.) The bill was first read on January 15, referred to the Urban Affairs Committee. It was advanced to General File. I have no amendments on the bill, Mr. President.

SPEAKER MARVEL: The Chair recognizes Senator Clark.

SENATOR CLARK: Mr. President and members, this is a very simple bill. What it does is allow the city council or the village board to pass one ordinance one time, and if they ever want to change it, they can change it at a future date, as to how they either want to appoint or elect a library board. Right now they have to do this every two years. It is not only costly, time consuming. I think that Senator Hoagland has an amendment to the bill to take out some obsolete language and I will certainly agree to that, and I would move that it goes to E & R Initial.

CLERK: Mr. President, Senator Hoagland moves to amend the bill. (Read Hoagland amendment found on page 781, Legislative Journal.) Is that right, Senator? Okay.

March 6, 1981

LB 194, 174, 387,  
431, 478

SENATOR HOAGLAND: All that is is simply obsolete language, Mr. Speaker, that was designed to effectuate the provisions of the election of membership to library boards in 1972 and 1974 and is no longer needed.

SPEAKER MARVEL: The motion is the adoption of the Hoagland amendment to the Clark...Hoagland amendment to the bill. All those in favor of adopting the Hoagland amendment vote aye, opposed vote no. Have you all voted? Record the vote.

CLERK: 25 ayes, 0 nays, Mr. President, on the motion to adopt the amendment.

SPEAKER MARVEL: The motion is carried. The Hoagland amendment is adopted. Now, Senator Clark, what do we do with the bill?

SENATOR CLARK: I would move that the bill be advanced to E & R Initial as amended.

SPEAKER MARVEL: The motion is to advance the bill as amended. All those in favor vote aye...do you want to clear the board? All those in favor vote aye, opposed vote no. Record.

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

SPEAKER MARVEL: The motion is carried. The bill is advanced. We now...the next two bills will be temporarily passed over because the introducer is not here and we go to LB 89.

CLERK: Mr. President, if I may right before that, you committee on Miscellaneous Subjects whose Chairman is Senator Hefner reports 431 to General File with amendments.

Your committee on Revenue reports LB 478 to General File with amendments; and your Retirement Systems Committee reports LB 387 to General File with amendments. (Signed by the respective Chairs.)

Mr. President, LB 89 was a bill introduced by Senator Shirley Marsh.

SPEAKER MARVEL: Is Senator Marsh in the room? We are going to temporarily pass over those two bills and we will come back to them shortly, and the next bill is LB 174.

CLERK: LB 174 offered by Senator Fenger. (Read title.) The bill was read on January 14. It was referred to the Judiciary Committee. The bill was advanced to General File.

March 10, 1981

LB 9, 34, 50, 74, 89,  
89A, 124, 174, 178,  
194, 345, 425, 500

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: I take great pleasure in introducing my own pastor, Pastor Harold Hamilton from First Lutheran here in Lincoln.

PASTOR HAROLD HAMILTON: (Prayer offered)

PRESIDENT: Roll call. Senator Marsh.

SENATOR MARSH: Mr. President, for all who are within my range of my voice, I would like to give notice that tomorrow I am going to ask for a recorded vote on those who are here by 9:05 a.m.

PRESIDENT: Thank you, Senator Marsh. Senator Nichol.

SENATOR NICHOL: Mr. President, I will make sure to be here tomorrow but I wonder if that is going to be an occurrence every day, Senator Marsh. I am sorry, she is talking. I was just curious about what the rule would be.

PRESIDENT: Have you all recorded your presence? It is now 9:05 a.m. Has everybody recorded 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 will stand correct as published. Any messages, reports or announcements.

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports that we have carefully examined LB 74 and recommend that same be placed on Select File with amendments; LB 500 Select File with amendments; LB 425 Select File with amendments; LB 194 Select File with amendments; LB 174 Select File with amendments; LB 89 Select File with amendments; LB 89A Select File with amendments; LB 50 Select File with amendments.

Mr. President, your Enrolling Clerk respectfully reports that she has presented to the Governor at 2:10 p.m. yesterday LBs 9, 34, 124, 178, and 345.

Mr. President, your committee on Enrollment and Review

March 13, 1981

LB 50, 89, 89A, 194,  
LB 500, 425, 475

SENATOR CLARK: All those in favor of advancing 425 say aye, all those opposed no. The bill is advanced. LB 194.

CLERK: There are E & Rs, Senator.

SENATOR BEUTLER: Mr. Speaker, I would move the E & R amendments to LB 194 be adopted.

SENATOR CLARK: All those in favor of the E & R amendments to LB 194 say aye, all those opposed no. The amendments are adopted. Senator Beutler.

SENATOR BEUTLER: No further amendments, Mr. Speaker?

CLERK: Nothing further, Senator.

SENATOR BEUTLER: I would move that LB 194 be advanced to E & R for engrossment.

SENATOR CLARK: All those in favor of advancing LB 194 say aye, all opposed. The bill is advanced. LB 89. Senator Beutler. Are there E & R amendments on this one?

CLERK: There are no E & R.

SENATOR BEUTLER: Mr. Speaker, I would move that LB 89 be advanced to E & R for engrossment.

SENATOR CLARK: The question is the advancement to E & R for LB 89. All those in favor say aye, all those opposed no. The bill is advanced. LB 89A.

SENATOR BEUTLER: Mr. Speaker, I would move that LB 89A be advanced to E & R for engrossment.

SENATOR CLARK: All those in favor of advancing LB 89A say aye, opposed no. The bill is advanced. LB 50.

CLERK: There are E & Rs, Senator.

SENATOR BEUTLER: Mr. Speaker, I would move that the E & R amendments to LB 50 be adopted.

SENATOR CLARK: The E & R amendments to LB 50, all those in favor say aye, all opposed nay. The amendments are adopted. Senator Beutler.

SENATOR BEUTLER: Mr. Speaker, I would move that LB 50 be advanced to E & R for engrossment.

SENATOR CLARK: All those in favor of LB 50 being advanced say aye, opposed no. The bill is advanced. LB 475.

March 16, 1981

LB 328, 477, 35, 112,  
245, 206, 206A, 22, 50,  
74, 89, 89A, 171, 194,  
425, 475, 500, 550,

SPEAKER MARVEL: The motion is the adoption of the Beutler amendment to the committee amendment. All those in favor of the motion vote aye, opposed vote no. Have you all voted? Have you all voted? Shall the House go under Call, all in favor of that motion vote aye, opposed vote no.

CLERK: 13 ayes, 2 nays to go under call Mr. President.

SPEAKER MARVEL: The House is under Call. All Legislators should be in their seats. Record your presence. Unauthorized personnel please leave the floor. Senator Fenger, Senator Koch, Senator Cope, Senator Kilgarin, Senator Kremer, Senator Schmit, Senator Vard Johnson, Senator Sieck, Senator Landis, Senator Newell, Senator Chambers, Senator Pirsch. Do we have them all now? Senator Vard Johnson and Senator Sieck. Will all legislators please be in their seats before we start the roll call. Senator Beutler everybody is accounted except Senator Vard Johnson. He is across the street. This is a roll call vote on the Beutler amendment to the committee amendment. Are you all in your seats? Okay, call the roll.

CLERK: Roll call vote. 15 ayes, 28 nays, 1 present and not voting, 4 excused and not voting, and 1 absent and not voting. Vote appears on pages 940-941 of the Legislative Journal.

SPEAKER MARVEL: Motion lost. Do you have another item?

CLERK: Mr. President, I have certificates and letters accompanying certificates regarding the overrides of LB 206 and 206A. (See pages 941-42 of the Legislative Journal).

Your committee on Enrollment and Review respectively reports we have carefully examined LB 22 and find the same correctly engrossed, 50, 74, 89, 89A, 171, 194, 425, 475 and 500, all correctly engrossed. (Signed) Senator Kilgarin, Chair.

Your Enrolling Clerk has presented certain bills to the Governor on this day. (See page 943 of the Legislative Journal).

Have a reference report referring LB 550.

Government Committee will meet in Executive Session on Thursday at 1:30 in Room 1113.

Judiciary reports 328 to General File as amended and 477 to General File with amendment.

Public Works reports 35 to General File and LB 112 indefinitely postponed. (Signed) Senator Kremer, Chair.

March 24, 1981

LB 50, 171, 194, 425

CLERK: (Read LB 50 on Final Reading.)

SENATOR CLARK: All provisions of law having been complied with, the question is, shall the bill pass. All those in favor vote aye, opposed no. Record the vote.

CLERK: (Read record vote as found on page 1098 of the Legislative Journal.) 36 ayes, 1 nay, 9 excused and not voting, 3 present and not voting, Mr. President.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: The bill is declared passed on Final Reading. Pass over LB 74 and go to LB 171.

CLERK: (Read LB 171 on Final Reading.)

SPEAKER MARVEL: All provisions of law having been complied with, the question is, shall the bill pass on Final Reading. Those in favor vote aye, opposed vote no. Have you all voted? Record the vote.

CLERK: (Read record vote as found on page 1099 of the Legislative Journal.) 40 ayes, 0 nays, 9 excused and not voting; Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. The next bill, LB 194.

ASSISTANT CLERK: (Read LB 194 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 no. Have you all voted? Clerk, record.

ASSISTANT CLERK: (Read record vote as found on pages 1099-1100 of the Legislative Journal.) The vote is 40 ayes, 0 nays, 9 excused and not voting.

SPEAKER MARVEL: The bill is declared passed on Final Reading. The Clerk will read LB 425 on Final Reading.

ASSISTANT CLERK: (Read LB 425 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. Have you all voted? Record the vote.

ASSISTANT CLERK: (Read record vote as found on page 1100 of the Legislative Journal.) The vote is 38 ayes, 0 nays, 2 present and not voting, 9 excused and not voting, Mr. President.



March 25, 1981

LR 46  
LB 39, 39A, 50, 72, 73,  
104, 167, 171, 194, 197,  
197A, 252, 425, 475, 500

SPEAKER MARVEL PRESIDING

SENATOR BEYER: (Prayer offered.)

SPEAKER MARVEL: I have a note here that indicates that today is the 35th birthday of Senator Howard Peterson and this occurred on the weekend, March 22, and there will be rolls served in his honor and we wish Senator Peterson the best for the year to come. Have you all recorded your presence? Record.

CLERK: A quorum present, Mr. President.

SPEAKER MARVEL: Do you have items under #3?

CLERK: Mr. President, your committee on Public Works whose Chairman is Senator Kremer reports LB 252 to General File with amendments. (Signed) Senator Kremer.

Your committee on Enrollment and Review respectfully reports that they have examined and reviewed LB 39 and recommend that same be placed on Select File with amendments; 39A Select File; 167 Select File with amendments; 197 Select File with amendments; 197A Select File. All signed by Senator Kilgarin as Chair.

Your committee on Enrollment and Review respectfully reports we have carefully examined LB 72 and find the same correctly reengrossed. (Signed) Senator Kilgarin.

Senator Wagner would like to be excused for the day.

And, Mr. President, LB 73, 194, 50, 171, 194, 425, 475, and 500 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 73, LB 104, LB 50, LB 171, LB 194, LB 425, LB 475, LB 500. Item #4, resolution.

CLERK: LR 46 is offered by (read LR 46.)

SPEAKER MARVEL: Senator Lamb, this is your resolution.

SENATOR LAMB: Mr. Chairman and members of the Legislature, this is a resolution which honors Senator Nichol's mother who recently passed away. The fine lady has been a long time credit to the State of Nebraska. I urge the adoption of this resolution.

March 25, 1981

LR 47  
LB 190, 298, 50, 73, 104,  
171, 194, 425, 475, 500

amendment to LB 190 as explained by Senator DeCamp.  
All those in favor of that motion vote aye, opposed vote  
no. Record the vote.

CLERK: 31 ayes, 0 nays on the adoption of Senator DeCamp's  
amendment.

SPEAKER MARVEL: The motion is carried, the amendment is  
adopted.

CLERK: I have nothing further on the bill Mr. President.

SPEAKER MARVEL: Senator DeCamp. The motion is to advance the  
bill to E & R for Engrossment. All those in favor of the motion  
to advance vote aye, opposed vote no. Have you all voted?  
Record the vote.

CLERK: 35 ayes, 1 nay on the motion to advance the bill, Mr.  
President.

SPEAKER MARVEL: The motion is carried the bill is advanced.  
Before we proceed, underneath the North balcony it is my  
privilege to introduce Miss Cindy Pace who is a teacher from  
Millard and her friend from Ralston who is here under the  
auspices of Senator Koch. Cindy, will you stand up so we can  
welcome you to the Unicameral?

CLERK: Mr. President, I have a few matters to read in.  
Revenue Committee is going to meet in executive session  
upon adjournment today in Room 1520.

Your Enrolling Clerk respectfully reports that she has  
presented to the Governor LB 73, 104, 50, 171, 194, 425, 475,  
500.

I have a Reference Report referring LBs 551 through 555.

A new resolution by (Read LB 47. See pages 1126 and 1127,  
Legislative Journal.) That will be laid over, Mr. President.

Mr. President, LB 298 was introduced by Senator Vard Johnson.  
(Read title.) The bill was first read on January 19. It was  
referred to the Urban Affairs Committee for public hearing.  
The bill was advanced to General File. There are committee  
amendments pending by the Urban Affairs Committee, Mr. Presi-  
dent.

SPEAKER MARVEL: Senator Landis.

SENATOR LANDIS: Mr. Speaker and members of the Legislature,  
the committee amendments narrow the impact of the bill and  
indicate that, first, the City of Lincoln is exempt and,

March 26, 1981

LB 50, 73, 138, 194,  
292, 425, 475, 500.

two o'clock on Friday instead of four or five o'clock. If you have any questions on this, you can check with the Clerk's office, or you can check with our office. Now does anybody have any.....Senator Kahle.

SENATOR KAHLE: Mr. Speaker, really no comment on what you just said but I wonder if we wouldn't be ahead if you scheduled some of the real heavy bills on Friday and Friday afternoon instead of the consent calendar. Maybe people would stay here. In the going on five years now that I have been here, I have never left on a Thursday or a Friday when we were in session, and I resent the fact that many of you do leave for the last day no matter when it is, and I just really feel that you are not being very responsible and perhaps if we would handle some of those real tough bills on Friday, you would stick around. Thank you.

SPEAKER MARVEL: I think that we, Senator Kahle, in answer to your question.....well, we are going to adjourn. Okay, Senator Howard Peterson, would you adjourn us until nine o'clock....I'm sorry, Pat, go ahead.

CLERK: Excuse me. Mr. President, a communication from the Governor to the Clerk. (Read communication regarding LBs 50, 73, 194, 425, 475, 500.)

I have a....your Committee on Business and Labor reports regarding gubernatorial appointment. (See page 1156 of the Legislative Journal.)

Senator Vickers would like to print amendments to 138. (See pages 1156 and 1157 of the Journal.) And Senator Kilgarin asks unanimous consent to add her name to LB 292 as co-introducer.

SPEAKER MARVEL: Senator Peterson, would you adjourn us until nine o'clock tomorrow morning. I am sorry. Senator Kremer.

SENATOR KREMER: Mr. Chairman, I would like to remind the Public Works Committee for a very short meeting below the north balcony immediately upon adjournment.

SPEAKER MARVEL: Today?

SENATOR KREMER: Yes.

SPEAKER MARVEL: Okay.

SENATOR H. PETERSON: Mr. Speaker, I would move we adjourn