

February 23, 1981

LR 20  
LB 34, 38, 77, 197A,  
290

CLERK: There are E & R amendments, Senator.

SENATOR KILGARIN: I move the E & R amendments to LB 77.

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

SENATOR KILGARIN: I move LB 77 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. LB 38.

CLERK: There are E & R, Senator.

SENATOR KILGARIN: I move the E & R amendments to LB 38.

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 38 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. Do you have anything else on the desk, Mr. Clerk?

CLERK: Yes, sir, I have several things to read.

Mr. President, first of all, a new A bill, LB 197A. (Read title.)

Mr. President, a new resolution, LR 20. (Read) That will be laid over, Mr. President.

Mr. President, Senator Wesely would like to have his name added to LB 34 as cointroducer.

Mr. President, Senator Burrows wants to remind the body that the tour of the Beatrice State Developmental Center is for tonight. Vans will leave the west door at 4:00 p.m. today for those planning to attend. Please let Senator Burrows' office know if you plan on going.

Mr. President, I have Committee on Committees confirmation reports from the Miscellaneous Subjects Committee and the Constitutional Revision and Recreation Committee.

I have an Attorney General's opinion addressed to Senator Clark regarding LB 290.

March 23, 1981

LB 197A, 40, 192, 231,  
340, 341, 411, 541

consideration of 197A and advancing it also. Thank you.

SENATOR CLARK: Senator Marsh. The question before the House is the advancement of 197A. All those in favor vote aye, opposed vote nay. Have you all voted? The advancement of 197A. Record the vote.

CLERK: 27 ayes, 2 nays on the motion to advance the A bill, Mr. President.

SENATOR CLARK: Motion carried. The bill is advanced. We will now take up LB 40.

CLERK: Mr. President, if I may right before we get to that, Banking, Commerce and Insurance gives notice of gubernatorial appointments as approved by the committee.

The committee on Judiciary reports LB 541 to General File with amendments; 192 General File with amendments; 231 General File with amendments; 411 General File with amendments; 340 General File with amendments; 341 General File with amendments. (Signed) Senator Nichol, Chair.

Mr. President, LB 40 was a bill introduced by Senators Koch, DeCamp and Goodrich. (Read title.) The bill was first read on January 8, referred to the Revenue Committee. The bill was advanced to General File. There are committee amendments pending by the Revenue Committee, Mr. President.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Senator Carsten.

SENATOR CARSTEN: Mr. President and members of the Legislature, I move for the adoption of the committee amendments. The committee amendments to LB 40 would require that the tax could not be continued, the Omaha city half-cent sales tax could not be continued after December 31, 1981 unless the majority of those voting in an election approved of the extension. I think the philosophy of the committee after we heard this bill realizing full well that the people of the City of Omaha did vote to accept the half-cent sales tax for a specific period of time, now this bill as it was presented is a permanent tax that would be put on. The committee felt that it was improper, I believe I am speaking for the committee, for this Legislature to impose upon the people of the City of Omaha a permanent half-cent sales tax without their consent or rejection and it was in that light that this amendment

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 30, 1981

LB 167, 197, 197A, 291,  
311

PRESIDENT: Since Senator Schmit is not here, Senator Hoagland is not here, the consensus is we will just pass over 167. The next bill will be 197.

CLERK: Mr. President, there are E & R amendments to LB 197.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Senator Kilgarin, do you want to...

SENATOR KILGARIN: I move the E & R amendments to LB 197.

SPEAKER MARVEL: The motion is the adoption of the E & R amendments to LB 197. All those in favor of that motion say aye, opposed no. Motion is carried. The E & R amendments are adopted.

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

SPEAKER MARVEL: Do you want to move the advancement of the bill?

SENATOR KILGARIN: I move that LB 197 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. Now we have got the A bill. So moved.

SENATOR KILGARIN: So moved.

SPEAKER MARVEL: The motion is the adoption of 197A. All those in favor of the motion to advance the bill vote aye, opposed no. Motion is carried. The bill is advanced. LB 291. Do you want to move the advancement of the bill?

SENATOR KILGARIN: I move LB 291 be advanced to E & R for engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. Motion is carried. The bill is advanced. 311.

CLERK: Yes, sir. Nothing on the bill, Senator.

SENATOR KILGARIN: I move LB 311 be advanced to E & R for engrossment.

SPEAKER MARVEL: Motion is to advance the bill to E & R for engrossment. All in favor of that motion say aye, opposed no. Motion is carried. The bill is advanced.

March 31, 1981

LB 197, 197A, 266A, 290,  
LB 245, 291, 311, 355

things going for you. Number one, the fact that the industry itself is willing to put some money into it. Now if at this time when we have been guaranteed that the 2 million will be there provided by the industry, is going to be a signal to our people at the federal level that we have lost our interest, we are pulling back. The second thing she said you have got going for you, that under the present attempt to put some state money into it is going to be of great help for me if you expect me to do something for you. I think it is unwise at this point to say we are not going to put that in and I think that it is something that is positive that will be used if we expect to get any federal funds. I do oppose your amendment, Senator Koch, at this time.

SPEAKER MARVEL: If there is no objection we will stop here and come back after one-thirty and wind up the discussion because we are not going to get it done before noon. So, if there is no objection we will recess. Senator VonMinden, will you recess us until one-thirty? While we are waiting for that the Clerk has some things to read in.

CLERK: Mr. President, new A bill, 266A by Senator Wesely. (Read title as found on page 1220 of the Journal.)

Your committee on Enrollment and Review respectfully reports we have carefully examined and engrossed LB 197 and find the same correctly engrossed, 197A, 291, 290, 311, 355 all correctly engrossed, (Signed) Senator Kilgarin, Chair. (see pages 1220-1221 of the Journal.)

SPEAKER MARVEL: Senator Von Minden.

SENATOR VON MINDEN: Yes, Mr. Chairman, I move we recess until one-thirty.

SPEAKER MARVEL: Okay, the motion is to recess until one-thirty. All those in favor say aye, opposed no. The motion is carried. We are recessed until one-thirty.

Edited by:

*Marilyn Zank*  
Marilyn Zank

May 12, 1981

LB 197, 197A, 245

CLERK: 28 ayes, 17 nays, 1 present and not voting, 3 excused and not voting. Vote appears on page 1937 of the Legislative Journal.

PRESIDENT: Motion carries and LB 197 passes. We will now read.....before we take up LB 197A, Senator Warner, will you for the record firm the fact this would take 30 votes, is that correct?

SENATOR WARNER: Yes, that would be correct.

PRESIDENT: All right, thank you Senator Warner. Thirty votes will be required. We will now read on Final Reading LB 197A.

CLERK: Read LB 197A.

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 197A pass. All those in favor vote aye, opposed vote nay. Have you all voted? Senator Marsh, for what purpose do you rise?

SENATOR MARSH: I rise to ask for a check in of all of those who are present and then a roll call vote please.

PRESIDENT: Would all of you indicate your presence so we know how many are here. Senator Schmit will you check in please to show your presence. Senator Burrows will you do the same. Senator Landis I think is. . . .Senator...all right then, Senator Landis will you check in. Thank you. Now they are all here except for the few. We will proceed then with a roll call vote on LB 197A. Proceed Mr. Clerk will a roll call vote.

CLERK: Roll call vote. 31 ayes, 14 nays, 2 present and not voting, 2 excused and not voting. Vote appears on page 1938 of the Legislative Journal.

PRESIDENT: Motion carries. LB 197A passes. The next bill on Final Reading is LB 245 Mr. Clerk.

CLERK: Mr. President, right before that I have explanations of vote from Senator Warner. (See page 1939 of Legislative Journal).

Mr. President, I have motions on LB 245.

PRESIDENT: Read the motion.

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