

LR 23
LB 21, 38, 67, 77, 80,
104, 109, 144, 186, 205,
206, 206A, 221, 236, 260,
204A.

February 25, 1981

SENATOR LABEDZ: Will it be on the agenda tomorrow morning?

SPEAKER MARVEL: It will either be on the agenda tomorrow or the next day.

SENATOR LABEDZ: Thank you.

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

CLERK: Yes, sir, I do. Mr. President, Senator Warner would like to print amendments to LB 144 in the Journal. (See pages 659 and 660 of the Legislative Journal.) New resolution, LR 23 by Senator Maresh and Senator Beutler. (Read LR 23 as found on page 660 of the Legislative Journal.) Mr. President that will be laid over. New bill, LB 204A, offered by Senator Wagner. (Read title to LB 204A for the first time.) Your committee on Public Works gives notice of public hearing. Your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 21 and find the same correctly engrossed, 38, 67, 77, 80, 104, 109, 126, 206, 206A, 221, 236, and 260 all correctly engrossed. (Signed) Senator Kilgarin, Chair.

SPEAKER MARVEL: Okay, we revert to General File, LB 205.

CLERK: Mr. President, LB 205 was considered by the body yesterday. There was a motion to adopt the committee amendments which prevailed. There was some discussion and I now have a motion to indefinitely postpone the bill as offered by Senator Chambers.

SPEAKER MARVEL: The Chair recognizes Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, the first thing I have to do is apologize to Senator Pirsch because yesterday I said this bill emerged from committee without a single dissenting vote, but she did vote against it. It is kind of interesting that she being from Omaha and I being from Omaha, she being notoriously law and order, I being notoriously whatever the contrary is, both agree that this bill is not a very good thing. So what I am asking that you do is consider what the purpose and role of an arson investigator is. The bill states it's to study the cause, origin and circumstances of fires. Nothing in this bill enhances that responsibility or that function. We don't want to create quasi law enforcement people when their job is not law enforcement. They have the team concept in Omaha right

March 10, 1981

LB 204, 204A

SPEAKER MARVEL: Senator Beutler.

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, I just wanted to make a couple of short comments. First of all, it really pleases me personally to see the statutes being brought together and put together in some coherent form for a change whereas it seems like time after time in this Legislature we make distinctions, many time for political reasons and without a lot of good thought going into it so I think this is a very good development that we are seeing here. Secondly, although I can't say that this is a very definitive thing, I would like to just say that I just spent an hour and a half on the side trying to punch holes in this. Usually I am more successful but I spent an hour and a half looking at ten different provisions in here and I couldn't find anything wrong with them. So I suspect that it is a very well drafted bill and I compliment Senator Wagner. Thank you.

SPEAKER MARVEL: Senator Hoagland.

SENATOR HOAGLAND: Mr. Speaker and colleagues, I would just like to echo what Senator Beutler has said and commend Senator Wagner for his efforts here. It is so important for us to be continually working to clean up the statutes to make them uniform and to repeal obsolete provisions and I think what Senator Wagner is doing is very, very good and I hope it will set a precedent for us getting into other areas of the statutes that needs the same kind of work. Thank you.

SPEAKER MARVEL: Senator Wagner, do you want to move the bill.

SENATOR WAGNER: Mr. Speaker, I do want to remember the people. It is more than just myself that worked on this bill. My legislative aide, Becky Delehant, did a lot of work on it and a lot of others in here so it isn't just myself. It is a lot of people and with that, I would close and I would move the bill.

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

CLERK: 25 ayes, 0 nays on the motion to advance the bill.

SPEAKER MARVEL: The motion is carried. The bill is advanced. Now let's take up the A bill.

CLERK: (Read LB 204A.)

SPEAKER MARVEL: Senator Wagner, move the A bill.

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LB 204A, 205, 169, 151

SENATOR WAGNER: I would move the A bill, Mr. Speaker.

SPEAKER MARVEL: All those in favor of that motion vote aye, opposed vote no. Have you all voted? Record.

CLERK: 25 ayes, 0 nays, Mr. President, on the motion to advance the bill.

SPEAKER MARVEL: The motion is carried. The bill is advanced. Now do you have something to read in?

CLERK: Yes, sir. Mr. President, first of all I have an announcement from the Speaker regarding the submission of priority bill deadline. That will be inserted in the Journal. (See page 836 of the Journal.)

Senator Beutler would like to print amendments to LB 205 in the Journal; Senator Vickers to amend LB 151 and Senator Fowler would like unanimous consent to have his name added to LB 169 as cointroducer. (See pages 837-838 of the Legislative Journal.)

SPEAKER MARVEL: Hearing no objections, so ordered.

CLERK: That is all I have, Mr. President.

SPEAKER MARVEL: Senator Remmers, would you like to adjourn us until tomorrow at nine o'clock.

SENATOR REMMERS: Mr. Speaker, I move that we adjourn until tomorrow at nine o'clock.

SPEAKER MARVEL: All those in favor of that motion say aye, opposed no. The motion is carried. We are adjourned until 9:00 a.m., March 11, 1981.

Edited by Arleen McCrory
Arleen McCrory

March 12, 1981

LB 51, 104, 150, 151, 154, 179, 190,
195, 204, 204A, 205, 220, 272, 409,
403.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: (Microphone not on)...Tom Huxtable who is the Minister of the Eastridge Presbyterian Church.

REV. TOM HUXTABLE: Prayer offered.

SPEAKER MARVEL: Will you all record your presence, please.

CLERK: Mr. President, Senator Vard Johnson would like to be excused until he arrives. Mr. President, Senator Burrows would like to be excused until he arrives. Senator Wagner and Senator Labeledz until they arrive.

SPEAKER MARVEL: Senator Dworak.

SENATOR DWORAK: A record attendance, please. A record vote on attendance, please.

SPEAKER MARVEL: Record the vote.

CLERK: There is a quorum present, Mr. President.

SPEAKER MARVEL: Do you have any other items on your desk?

CLERK: Yes, sir, I do. Mr. President, I have several matters to read in. Mr. President, LBs 51, 150, 195, 272, 409, and 154 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 51, LB 150, LB 195, LB 272, LB 409, LB 154.

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports LB 104 is correctly engrossed and LB 205 correctly engrossed. (Signed) Senator Kilgarin as Chair. (See page 874 of the Legislative Journal.)

Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 190 and recommend that same be placed on Select File with amendments; 220 Select File, 151 Select File with amendments; 179 Select File with amendments; 204 Select File with amendments; 204A Select File. (Signed) Senator Kilgarin, Chair. (See page 873 of the Legislative Journal.)

Your Committee on Banking reports LB 403 to General File

March 13, 1981

LB 13, 76, 83, 204A, 254, 309,
391, 427, 455, 472, 498, 136

CLERK: ...your committee on Education whose chairman is Senator Koch reports LB 309 to General File; LB 427 to General File; LB 455 to General File; LB 472 to General File; LB 498 to General File with amendments; LB 13 as indefinitely postponed; LB 254 indefinitely postponed; and LB 391 as indefinitely postponed, all signed by Senator Koch as Chair.

Mr. President, Senator Wagner would like to print amendments to LB 204A. (See pages 899 of the Legislative Journal.)

PRESIDENT: One more time, if everyone will be at their desks we will commence Final Reading. Would all members please get to your desks so we can start Final Reading. As soon as everyone is at his or her desk we will begin. All right, we will begin, Mr. Clerk. The first bill on Final Reading is LB 76.

CLERK: (Began reading LB 76 on Final Reading.)

PRESIDENT: Yes, for what purpose do you arise, Senator Chambers?

SENATOR CHAMBERS: This bill, Senator DeCamp and I had talked about it. Can we lay it over a day? There are some amendments that are going to be offered and we don't want to try to do it now and the other bills can go ahead and be read?

PRESIDENT: Mr. Speaker, what do you wish to do with...? Under these circumstances? Is that all right? All right, the Speaker says it is all right, Senator Chambers. We will just pass over the LB 76 and commence then with LB 83, Mr. Clerk.

CLERK: (Read LB 83 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 83 pass with the emergency clause attached. All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Read record vote as found on page 901 of the Legislative Journal.) 44 ayes, 1 nay, 2 excused and not voting, 2 present and not voting, Mr. President.

PRESIDENT: LB 83 passes with the emergency clause attached. The next bill on Final Reading is LB 136.

CLERK: (Read LB 136 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 136 pass. All those in favor vote aye, opposed nay. Record the vote.

March 19, 1981

LB 204, 204A

seventh through eleventh graders and two adults from Weeping Water Junior and Senior High School, Mrs. Heidi Goodenkauf and Mrs. Elizabeth Domingo, teachers. They are in the North balcony. Would they be recognized and welcome to your Legislature, Weeping Water.

CLERK: Mr. President, LR 43 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 43. Mr. Clerk, we will proceed then with the next bill on Select File, LB 204.

CLERK: There are E & R amendments, Senator.

PRESIDENT: The Chair recognizes Senator Kilgarin.

SENATOR KILGARIN: I move the E & R amendments to LB 204.

PRESIDENT: Motion to adopt the E & R amendments on LB 204. Any discussion? All those in favor of adopting the E & R amendments on LB 204 signify by saying aye, opposed nay. The E & R amendments on LB 204 are adopted. Anything further?

CLERK: I have nothing further on the bill.

PRESIDENT: The Chair recognizes Senator Kilgarin.

SENATOR KILGARIN: I move that LB 204 with the amendments be advanced to E & R for engrossment.

PRESIDENT: Motion to advance LB 204 to E & R for engrossment. Any discussion? Hearing none, all those in favor of advancing LB 204 to E & R for engrossment signify by saying aye, opposed nay. It is hard to hear up here, but the motion carries and LB 204 is advanced to E & R for engrossment. The next bill is LB 204A, Mr. Clerk.

CLERK: Mr. President, Senator Wagner has an amendment to LB 204A found on page 899 of the Journal.

PRESIDENT: The Chair recognizes Senator Wagner.

SENATOR WAGNER: Mr. Speaker and members, the other day we amended 204 and we did not amend 204A and 204A just takes the Section two out of there which was \$19,000 for the brand inspector and that coordinates it with LB 204. I move the adoption of the amendment.

PRESIDENT: Any further discussion on the amendment, on the Wagner amendment to LB 204A? I guess, Senator Wagner, that

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LB 204A, 56, 313

is your opening and your closing. The question then is the adoption of the amendment to LB 204A. All those in favor vote aye, opposed nay. Have you all voted? Record the vote.

CLERK: 28 ayes, 0 nays, Mr. President, on the adoption of the amendment.

PRESIDENT: The motion carries. The Wagner amendment is adopted to LB 204A. Any further amendments, Mr. Clerk?

CLERK: Nothing further on the bill, Mr. President.

PRESIDENT: Senator Kilgarin.

SENATOR KILGARIN: I move LB 204A be advanced to E & R for engrossment.

PRESIDENT: Motion to advance LB 204A to E & R for engrossment. Any discussion? All those in favor of advancing LB 204A to E & R engrossment signify by saying aye, opposed nay, that was a little better. The motion carries and LB 204A is advanced to E & R for engrossment. The Chair would like to take the opportunity to introduce some guests of Senator Richard Peterson. They are under the South balcony, Mr. and Mrs. Ronald Rousch from Madison. Would the Rouschs stand and be recognized and welcome to your Legislature. The next bill on Select File this morning is LB 56, Mr. Clerk.

CLERK: There are E & R amendments, Senator.

PRESIDENT: The Chair recognizes Senator Kilgarin.

SENATOR KILGARIN: I move the E & R amendments to LB 56.

PRESIDENT: The motion is to adopt the E & R amendments on LB 56. Any discussion? All those in favor of adopting the E & R amendments on LB 56 signify by saying aye, opposed nay. The E & R amendments on LB 56 are adopted? Any further...?

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

PRESIDENT: The Chair recognizes Senator Kilgarin.

SENATOR KILGARIN: I move LB 56 be advanced to E & R for engrossment.

PRESIDENT: The motion to advance LB 56 to E & R for engrossment. Any further discussion? All those in favor signify by saying aye, opposed nay. The motion carries and LB 56 is advanced to E & R for engrossment. The next bill is LB 313.

March 24, 1981

LB 204, 204A, 459A

CLERK: Senator Fowler to LB 459A. Your Committee on Enrollment and Review respectfully reports LB 204 correctly engrossed and 204A correctly engrossed. (Signed) Senator Kilgarin, Chair.

SPEAKER MARVEL: Do you want to adjourn us until tomorrow?

SENATOR MARSH: Yes, I do, thank you. Mr. Speaker, I move that we adjourn until nine o'clock tomorrow morning. And as I make the motion I would remind the Chairpersons that there is an 8:15 meeting in Room....

SPEAKER MARVEL: 2102.

SENATOR MARSH: 2102.

SPEAKER MARVEL: You said nine o'clock. Okay. All those in favor of the motion to adjourn say aye. Opposed no. The motion is carried. We are adjourned.

Edited by:

Marilyn Zank
Marilyn Zank

May 11, 1981

LB 204, 204A, 89

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

CLERK: (Read record vote as found on page 1925 of the Legislative Journal.) 34 ayes, 0 nays, 3 excused and not voting, 13 present and not voting, Mr. President.

SENATOR CLARK: The bill is declared passed. The Clerk will read 204A.

CLERK: (Read LB 204A on Final Reading.)

SENATOR CLARK: Senator Warner, your light is on. For what purpose...? Thank you. All provisions of law having been complied with, the question is, shall the bill pass. All those in favor vote aye. All opposed nay. I am voting aye. Have you all voted? Record the vote.

CLERK: (Read record vote as found on page 1926 of the Legislative Journal.) 37 ayes, 0 nays, 3 excused and not voting, 10 present and not voting, Mr. President.

SENATOR CLARK: The bill is declared passed. We will now revert back to LB 89. We have motions on the desk.

CLERK: Mr. President, I have a motion on the desk.

SENATOR CLARK: Read the motion.

CLERK: Mr. President, Senator Lamb moves to bracket LB 89 on Final Reading pending the receipt of the interim study report on LR 103 introduced earlier this session.

SENATOR CLARK: Senator Johnson.

SENATOR V. JOHNSON: Mr. Speaker, members of the body, Senator Lamb discussed with me this morning some motion on LB 89 to defer action if not to kill the bill outright because this body has before it a study concerning court redistricting and Senator Lamb is not here now to carry the motion and so I will because he and I at least talked it over a bit this morning. The motion is to bracket LB 89 until next year for consideration by the Legislature. This bill, as you will recall, would allow Lancaster County an additional district court judge. Lancaster County presently has five district court judges. Under this bill, Lancaster County could then have a sixth district court judge to serve the needs of its people. Now along the way the bill's sponsor, Senator Shirley Marsh, presented to us evidence of need of an additional judge in Lancaster County and to be truthful with you, it is not my position to dispute that evidence nor do I have any intention of disputing the evidence concerning the need of an additional judge in Lancaster County.

May 12, 1981

LB 144, 144A, 188, 188A,
204, 204A, 207, 207A,
LR 79, 115, 116

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by Pastor Martin Russert from Grace Luthrean Church in Norfolk, Nebraska, Senator Dick Peterson's district.

PASTOR RUSSERT: Prayer.

PRESIDENT: Roll call. Have you all recorded your presence? Record the presence.

CLERK: A quorum present, Mr. President.

PRESIDENT: Are there any corrections to the Journal?

CLERK: I have no corrections Mr. President.

PRESIDENT: The Journal will stand correct as published. How about any messages, reports or announcements?

CLERK: Mr. President, the first item I have is your Committee on Enrollment and Review respectfully reports that they have carefully examined LB 207 and find the same correctly enrolled.

Mr. President, LB 207, 207A, 188, 188A, 144, 144A, 204, 204A are ready for your signature. As well as LR 79, 115 and 116 Mr. President.

PRESIDENT: While the Legislature is in session and capable of doing business I propose to sign and do sign LB 207, 207A, 188, 188A, 144, 144A, 204, 204A, LR 79 and LR 115 as well as LR 116. Anything further Mr. Clerk?

CLERK: I have nothing further Mr. President.

PRESIDENT: We are then ready for agenda item number four but I understand there is a motion on the desk.

CLERK: Mr. President, Senator Warner would move to overrule the Speaker's agenda for May 12 by not reading any bills on final reading but only consider motions to return bills on final reading for specific amendment. That is offered by Senator Warner.

PRESIDENT: The Chair recognizes Senator Warner.

SENATOR WARNER: Mr. Chairman and members of the Legislatur, I assume that this is up hill but in keeping with what I believe ought to be.....the priority of the Legislature

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