

January 29, 1981

LB 207, 207A, 406, 523
LR 11

on that list who wants to trade places, wants to yield to another person in this Legislature, another legislator, it is up to that person when he or she is recognized to say "I yield to that person". Otherwise the presiding officer, at least when I am presiding, I am going to call on the names as they appear on the list and that person can do what he or she wants to do at that time but I am not going to attempt to substitute up here for you down there. I am going to call the list and you are going to have to yield and let it be known that you are the one that wants to yield your time. Is that clear? I want to make sure so there is no misunderstanding. Okay, Senator Chambers I guess is it. Senator Koch, Senator Chambers I believe is the only one not in the Chamber. Do you wish to wait for Senator Chambers? Here he is. Do you wish a roll call vote now on the issue?

SENATOR KOCH: I will request a roll call vote, please.

PRESIDENT: Roll call vote then. The question before the House is the advance of LB 207 to E & R Initial. Roll call vote, Mr. Clerk. You may proceed.

CLERK: (Roll call vote taken. See page 359, Legislative Journal.) 23 ayes, 23 nays, Mr. President.

PRESIDENT: LB 207 fails to advance. Mr. Clerk, do you have some matters to read in?

CLERK: Yes, sir, I do. Mr. President, I have four Attorney General's opinions. The first is addressed to Senator Warner, the second addressed to Senator Sieck regarding LE 58, the third to Senator DeCamp regarding LB 284; and a fourth to Senator DeCamp regarding LB 68.

Mr. President, your committee on Appropriations gives notice of rescheduling of public hearing for February 20. Senator Warner gives notice of Appropriations Committee hearing for Monday, February 9 and Friday, February 13.

Mr. President, A bill, LB 207A. (Read title. See page 365, Legislative Journal.)

Mr. President, a new resolution, LR 11. (Read. See pages 365 and 366, Legislative Journal.) Mr. President, that will be laid over pursuant to our rules.

Finally, Mr. President, I have a motion from Senators Chambers, Kilgarin, Landis, Kahle, V. Johnson and Chronister by the Government Committee to re-refer LBs 406 and 523 to Government from Miscellaneous Subjects.

February 11, 1981

LB 167, 207, 207A

the advancement of 207 to E & R for Review, as amended. Senator Koch, do you have any other comments you want to make?

SENATOR KOCH: I move to advance as amended to E & R Initial. Thank you.

SPEAKER MARVEL: All those in favor of the advancement of the bill vote aye, opposed vote no. Have you all voted? Senator Koch. Record the vote.

CLERK: 25 ayes, 9 nays, Mr. President, on the motion to advance the bill.

SPEAKER MARVEL: The motion is carried. The bill is advanced. Now we have the A bill?

CLERK: Yes, sir.

SPEAKER MARVEL: The motion before the House is the advancement of LB 207A. This is the A bill. All those in favor vote aye, opposed vote no. Last time, have you all voted? Senator Koch. Record the vote. Record the vote.

CLERK: 27 ayes, 8 nays, Mr. President, on the motion to advance the A bill.

SPEAKER MARVEL: The motion is carried. The bill is advanced. Okay, the next order of business is LB 167. The Clerk will read.

CLERK: Mr. President, LB 167 was offered by the Revenue Committee and signed by its members. (Read title). The bill was first read on January 14 of this year. It was referred to the Revenue Committee for public hearing. The bill was advanced to General File. Mr. President, there are committee amendments pending by the Revenue Committee. You will find the committee amendments in your bill books. They are cited as Request #2024.

SPEAKER MARVEL: Senator Hefner.

SENATOR HEFNER: Mr. President and members of the body, I move we adopt the committee amendments and I will try to explain them to you a little bit. They are found in front of the bill. There are three parts to the committee amendments. The first part includes interest rate change on the special assessments, and if you will notice that this was quite a lengthy amendment. It is in the white

February 17, 1981

LR 16
LB 24, 109, 110, 114, 143, 188,
188A, 207, 207A, 234, 234A, 246,
325, 388.

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by Paster Rodney Hinrichs from the Rejoice Lutheran Church here at Lincoln.

PASTOR RODNEY HINRICHS: Prayer offered.

PRESIDENT: Roll call.

CLERK: Mr. President, Senator Higgins would like to be excused. Senator Labeledz and Chronister until....

PRESIDENT: Record the presence.

CLERK: Quorum present, Mr. President.

PRESIDENT: 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 Enrollment and Review Committee respectfully reports they have carefully examined and reviewed LB 207 and recommend that same be placed on Select File; 207A; 188; 188A; 234; 234A; 110; 143 and 109 all placed on Select File. (See pages 525 and 526 of the Legislative Journal.)

Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 24 and find the same correctly engrossed.

Mr. President, your committee on Public Works whose Chairman is Senator Kremer to whom was referred LB 114 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendments; 246 General File with amendments; 325 General File with amendments; 388 General File with amendments. (Signed) Senator Kremer, Chair. (See pages 526 and 527 of the Legislative Journal.)

Mr. President, I have a unanimous consent request to have Senator Clark add his name to LR 16.

PRESIDENT: Any objections? If not, so ordered.

CLERK: Mr. President, LR 16 is ready for your signature.

February 19, 1981

LB 214, 207, 207A

SPEAKER MARVEL: Okay the motion is the Johnson amendment to LB 214. All those in favor of that motion vote aye, opposed no. Record the vote.

CLERK: 29 ayes, 0 nays, Mr. President, on adoption of the Johnson amendment.

SPEAKER MARVEL: The motion is carried. The amendment is adopted. Senator Hefner, do you want to advance the bill?

SENATOR HEFNER: Mr. President, I move the advancement of LB 214 to E & R engrossing.

SPEAKER MARVEL: All those in favor of that motion say aye, opposed no. The motion is carried. The bill is advanced. Are we ready for LB 207?

CLERK: Mr. President, there are E & R amendments to LB 207.

SPEAKER MARVEL: Senator Kilgarin, E & R amendments to 207.

SENATOR KILGARIN: I move the E & R amendments to LB 207.

SPEAKER MARVEL: 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 KILGARIN: I move LB 207 be advanced to E & R for engrossment.

SPEAKER MARVEL: All those in favor of that motion say aye, opposed no. Motion is carried. The bill is advanced. 207A.

CLERK: Mr. President, Senator Koch has an amendment to LB 207A. (Read Koch amendment offered on page 575, Legislative Journal.)

SPEAKER MARVEL: Senator Koch.

SENATOR KOCH: Mr. Speaker, thank you. The original A bill, we still had the trust fund earmarked in the Department of Education. There was some objection on the floor about the earmarking. What we did in the amendment to the A bill was to make certain money collected for license fees goes directly to the general fund and the amount you see here is the amount we are presently giving to driver's ed plus the new amount which we approved and I ask for the adoption of this amendment to the original 207A.

February 13, 1981

LB 207A, 188

SPEAKER MARVEL: All those in favor of that motion say aye, vote aye. Machine vote. All those in favor vote aye, opposed vote no. The motion is the adoption of the Koch amendment to LB 207A. Have you all voted? Do you want the amendment read again? Have you all voted? We are voting on the Koch amendment to LB 207A. Have you all voted? Record the vote.

CLERK: 28 ayes, 7 nays, Mr. President, on the adoption of Senator Koch's amendment.

SPEAKER MARVEL: The motion is carried. The amendment is adopted. We are now ready to...all those in favor of advancing 207A to E & R for engrossment say aye. Machine vote requested. All those in favor of advancing the bill vote aye, opposed vote no. We are voting on the advancement of the bill. Have you all voted? The motion is to advance 207A to E & R for engrossment. Record.

CLERK: 25 ayes, 7 nays on the motion to advance the A bill, Mr. President.

SPEAKER MARVEL: The motion is carried. The bill is advanced. Now 188.

CLERK: Yes, sir. Mr. President, there are E & R amendments to LB 188.

SPEAKER MARVEL: Okay, Senator Kilgarin.

SENATOR KILGARIN: I move we adopt the E & R amendments to LB 188.

SPEAKER MARVEL: All those in favor of that motion say aye, opposed nay. Motion carried. The amendments are adopted.

CLERK: Mr. President, Senator Hefner now moves to amend the bill: Strike Section 3 on LB 188. Which is the emergency clause, is that right, Senator?

SPEAKER MARVEL: Senator Hefner.

SENATOR HEFNER: Mr. President and colleagues, the motion is to strike Section 3. This removes the emergency clause. My concern is why do we need to get in such a hurry on this, why do we have to pass a bill with the emergency clause on to raise the salaries of judges of the commission. When we give the state employees a raise, we are in no hurry to do this. We, as Senators that serve in the body in order to get a raise would have to...a constitutional amendment would

LB 14, 18, 20, 27, 28, 29, 30
37, 41, 42, 43, 45, 46, 81
110, 121, 125, 130, 140,
143, 155, 164, 188, 188A,
207, 207A, 214, 234, 82, 64
234A

February 20, 1981

SENATOR DWORAK: I wish to close, Mr. President. I just reiterate that LB 125 be advanced to E & R initial.

SPEAKER MARVEL: All those in favor of that motion vote aye, opposed vote no. Okay, record.

CLERK: 33 ayes, 9 nays on the motion to advance the bill, Mr. President.

SPEAKER MARVEL: The motion is carried. The bill is advanced. The Clerk has some items on the desk before we adjourn.

CLERK: Mr. President, before we leave Senator Kremer would like to remind the Public Works Committee that they have a hearing at noon today in Room 1517 on Gubernatorial appointments for the public roads classification for motor vehicle licensing board. That is in Room 1517.

Mr. President, I have legislative bills ready for your signature.

SPEAKER MARVEL: While the Legislature is in session and capable of transacting business I am about to sign and I do sign LB 121, LB 64, LB 41, LB 18, LB 14 and engrossed LB 140, engrossed LB 130 and engrossed LB 82, engrossed LB 81, engrossed LB 46 and engrossed LB 45. Okay, Mr. Clerk.

CLERK: Mr. President, I have an Attorney General's opinion addressed to Senator Goodrich. It will be inserted in the Journal. (See pages 608-610.)

Your committee on Enrollment and Review respectfully reports we have carefully examined and engrossed LB 110 and find the same correctly engrossed; 188, 188A, 207, 207A, 214, 234 and 234A, all correctly engrossed.

Mr. President, your Enrolling Clerk respectfully reports she has at 10:37 a.m. presented to the Governor for his approval the following bills: 28, 42, 156, 20, 27, 29, 30, 37 and 43.

Mr. President, Senator Chambers moves to reconsider the action in voting to indefinitely postpone LB 143. That will be laid over.

I have explanation of votes from Senator Haberman and Senator Sieck. (See page 611 of the Journal.)

I have a report of registered lobbyists for February 12

May 11, 1981

LB 207, 207A, 234

CLERK: Senator Clark voting no.

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

CLERK: (Read record vote as found on page 1914 of the Legislative Journal.) 33 ayes, 12 nays, 2 excused and not voting, 2 present and not voting, Mr. President.

SENATOR CLARK: The bill is declared passed without the emergency clause attached. The Clerk will now read 207A (E). This also requires 33 votes.

CLERK: (Read LB 207A on Final Reading.)

SENATOR CLARK: All provisions of law having been complied with the question is, shall LB 207A pass with the emergency clause attached. All those in favor vote aye. All those opposed vote nay.

CLERK: Senator Clark voting no.

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

CLERK: (Read record vote as found on page 1915 of the Legislative Journal.) 33 ayes, 13 nays, 2 excused and not voting, 1 present and not voting, Mr. President.

SENATOR CLARK: The bill is declared passed with the emergency clause attached. The Clerk will now read LB 234.

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

SENATOR CLARK: Read the motion.

CLERK: Mr. President, Senator Fowler moves to return LB 234 to Select File for a specific amendment.

SENATOR CLARK: Senator Fowler.

SENATOR FOWLER: Mr. President, members of the Legislature, the amendment is to raise the weekly Workmen's Compensation benefit maximum from \$180 a week to \$190. It is the same as the provisions of a bill that was voted out of the Labor Committee. It is kind of a compromise figure. I guess it is fairly straightforward as to what we are talking about, simply to raise the weekly benefit maximum which is now \$180 to \$190. It is a 5.5% increase. Right, the people are asking Senator Maresh if he voted. Senator Maresh did not support this in the committee but a majority of the Labor Committee did. With that, I would move to return the bill for this specific amendment.

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 14, 1981

LB 22, 22A, 144,
LB 144A, 138, 188A,
LB 207, 207A, 253,
LB 466, 253A, 376, 548

SENATOR NICHOL: The amendment fails. Mr. Clerk, do you have anything else?

CLERK: I have nothing further, Mr. President.

SENATOR NICHOL: Senator Labedz, would you like to speak to the bill?

SENATOR LABEDZ: Thank you, Mr. President. I move for the advancement of LB 466 to E & R engrossing, and unless there is going to be some debate, I will offer further comments on my closing.

SENATOR NICHOL: Senator Cullan.

SENATOR CULLAN: Mr. President, just one thing for the record and that is I want to state for the record that I voted against the Marsh amendment, not because I believe that the concept of hospitalization is a bad one, but because we did not have adequate chance to review that amendment thoroughly and sufficiently at this point in time. We may very well sponsor some similar legislation in future years. Thank you.

SENATOR NICHOL: We are now voting on the advancement of LB 466. All those in favor signify by voting aye, opposed nay. Record, Mr. Clerk.

CLERK: 28 ayes, 9 nays, Mr. President.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Motion carried. The bill advanced.

CLERK: Mr. President, a few items to read in, if I may. I have an appointment letter from the Governor. That will be referred to the Executive Board for reference, Mr. President.

Mr. President, a communication from the Governor addressed to the Clerk. (Read: Re: LB 22, 22A, 144, 144A, 188, 188A, 207, 207A, 253 and 253A. See page 2049, Legislative Journal.)

Mr. President, Senator Maresh would like to print amendments to LB 548 in the Legislative Journal; Senator Dworak to print amendments to LB 376 in the Legislative Journal.

Your committee on Retirement gives notice of hearing on gubernatorial appointments for two, Thursday, May 12 (sic).