

January 7, 1982

LB 212A, 678

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Has everybody registered their presence?
Record the presence, Mr. Clerk.

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

PRESIDENT: Quorum being present, are there any corrections to the Journal?

CLERK: I have no corrections to the Journal, Mr. President.

PRESIDENT: All right, the Journal will stand approved as printed. Any messages, reports or announcements?

CLERK: Mr. President, I have one item. I have a reference report from the Reference Committee referring LBs 570, 572 and 593 and 592.

PRESIDENT: I presume we have to adopt the temporary rules again until we finish, or do we?

CLERK: Yes, sir, we do.

PRESIDENT: I see he has on the agenda the....

CLERK: Mr. President, Senator Wesely would move to adopt the rules that were in effect on the 90th legislative day of the 87th Legislature First Session except for Rule 2, Section 2 for today only.

PRESIDENT: All right. Thank you, Senator Wesely. The motion is to adopt these rules temporarily for this day only. Is there any discussion? Senator Wesely, anything further on this? All right, motion then is the adoption of these rules temporarily for this day only. All those in favor vote aye, opposed nay. Have you all voted? Record the vote, Mr. Clerk.

CLERK: 26 ayes, 0 nays on adoption of the temporary rules, Mr. President.

PRESIDENT: Motion carries, the temporary rules are adopted. Mr. Clerk, you may read in the bills that have come in for introduction of bills.

CLERK: Mr. President, I have two new bills at this time. LB 212A offered by Senator Vard Johnson. (Read title as found on page 133 of the Journal). Mr. President, new bill, LB 678 offered by Senator Elroy Hefner. (Read title as found on page 133 of the Journal).

PRESIDENT: All right, are there any bills that have not been filed as of this time? If you have some the Clerk would encourage you as would I to get them in so we can

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LB 589, 212A

SENATOR LANDIS: I just want to say that in reviewing the legislation this is a fine and timely piece of legislation that has to move quickly to solve a technical difficulty that was created by passage of the limited partnership act.

SPEAKER MARVEL: Any further discussion? The motion is to advance 589. All those in favor of that motion vote aye, opposed vote no. Have you all voted? Clerk, record the vote.

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

SPEAKER MARVEL: The motion carried. The bill is advanced. Pending the return of Senator Fowler, we will proceed now with LB 212A, and when he comes in then we will revert back to his bill. LB 212A.

CLERK: Mr. President, LB 212A offered by Senator Johnson. (Read title). Mr. President, I do have an amendment from Senator Johnson on the bill.

SPEAKER MARVEL: The Chair recognizes Senator Vard Johnson for his amendment.

SENATOR V. JOHNSON: Mr. Speaker and members of the body, LB 212A is the funding bill for 212. 212 has been advanced from General to Select File. 212 is a legislative bill that would establish a statewide cancer registry and reporting system. During the debate on LB 212 I indicated that the fiscal analyst had anticipated a cost for the statewide cancer registry reporting system of \$62,700. Now I have an amendment to 212A which our fiscal analyst gave to me after this body adopted new Rule 8, Section 5. As you may recall, those of you who have A bills, that rule requires us to show the funding not just for one year under the A bill but for two years under the A bill. So what this amendment to LB 212A does is it says that the cost in the first year will be as in the original A bill, \$62,700, and in the second year will be \$72,000. I would move that 212A be amended.

SPEAKER MARVEL: Okay, the motion first of all is the adoption of the Vard Johnson amendment to 212A. Is there any further discussion? All those in favor of adopting the amendment as explained vote aye, opposed vote no. Have you all voted? The motion is the adoption of the amendment to 212A. Have you all voted? Have you all voted? Record.

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LB 212A, 115

CLERK: 26 ayes, 0 nays, Mr. President, on adoption of Senator Johnson's amendment.

SPEAKER MARVEL: The motion is carried and the amendment is adopted. Okay, the motion is to advance the bill. Senator Johnson.

SENATOR V. JOHNSON: I don't know if there is anyone that wants to speak to 212A.

SPEAKER MARVEL: No.

SENATOR V. JOHNSON: In which case I will advance this... I will move the bill be advanced to Select File. This is the funding bill for LB 212 which has already been advanced to Select File. Again, our fiscal analyst in conjunction with the Department of Health has concluded that implementation of the cancer registry and reporting system for the state will cost \$62,700 the first year and \$72,000 the second year, and that is what the Appropriations bill provides.

SPEAKER MARVEL: You have heard the motion. All those in favor vote aye, opposed vote no. Record the vote. Do you want....okay, record vote has been requested.

CLERK: (Read the record vote as found on pages 494 and 495 of the Legislative Journal). 26 ayes, 11 nays, Mr. President, on the motion to advance the bill.

SPEAKER MARVEL: The motion is carried. The bill is advanced. Now we can revert back to LB 115.

CLERK: Mr. President, LB 115 introduced by Senator Fowler. (Read title). The bill was read on January 13 of last year. At that time it was referred to the Business and Labor Committee for hearing. The bill was advanced to General File, Mr. President. There are committee amendments pending. In addition to that, Senator Barrett has an amendment to the committee amendments. Did you want to take that up now, Senator? Okay.

SPEAKER MARVEL: Before we proceed, it is my privilege to introduce from Belmont School in the north balcony 42 Fifth Grade students and two teachers. Will you hold up your hands so we can see where you are sitting and welcome you to the Unicameral. The Chair recognizes Senator Barrett.

SENATOR BARRETT: Thank you, Mr. Speaker, and members,

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LB 115, 115A, 139, 139A, 212A,
LB 450, 576, 583, 588, 589,
LB 413, 631, 634, 670, 672,
LB 706, 735, 851

CLERK: (Read LB 413 on Final Reading.)

SENATOR CLARK: All provisions of law according to procedure having been complied with, the question is, shall the bill pass? All those in favor vote aye, opposed vote nay.

CLERK: Senator Clark voting yes.

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

CLERK: (Record vote read. See pages 529 and 530, Legislative Journal.) 20 ayes, 27 nays, 2 present and not voting, Mr. President.

SENATOR CLARK: The bill having not received the required number of votes has failed to pass on Final Reading. We will now to to item #5, General File. Does the Clerk have anything to read in?

CLERK: Mr. President, your committee on Public Works whose Chairman is Senator Kremer to whom we referred LB 670 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; and LB 851 advanced to General File, both signed by Senator Kremer.

Your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 139 and find the same correctly engrossed; 139A correctly engrossed; and 450 correct engrossed. (Signed) Senator Kilgarin.

Your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 631 and recommend the same be placed on Select File with amendments; 589 Select File; 212A Select File with amendments; 115 Select File with amendments; 115A Select File with amendments, all signed by Senator Kilgarin.

Your committee on Constitutional Revision and Recreation whose Chairman is Senator Labeledz to whom we referred LB 576 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; 583 General File with amendments; 588 General File with amendments; 634 General File with amendments; 672 General File with amendments; 706 General File with amendments; and 735 indefinitely postponed, all signed by Senator Labeledz as Chair.

Mr. President, your committee on Ag and Environment will have an exec session at eight forty-five on Thursday, February 4 in Room 1105, Senator Schmit's office. That is an exec session of the Ag and Environment Committee tomorrow morning at eight forty-five in Senator Schmit's office.

hospitals and the Kearney hospital has this information and St. Joe has this information in Omaha and Methodist has this information in Omaha. Veterans Hospital does not, incidentally which serves a lot of cancer victims in Nebraska. They don't have this information. We're putting it all together so you have one complete package of information. In addition we are getting some of the smaller hospitals to begin to make their reports and if they can't do it we will send our people in to collect the information but it is not a 1.2 million dollar program. Iowa is a very specialized program. This would not be. This is like the Wisconsin program, like the Colorado program and in those instances the costs are much less. So I do have a considerable amount of confidence in the cost of this program. Again, I would move the advancement of the bill.

SENATOR CLARK: The question before the Legislature is the advancement of 212. All those in favor say aye. A machine vote has been requested. All those in favor vote aye, opposed vote nay. While we're taking the vote I would like to announce 20 ninth through twelfth graders students in the North balcony from Northwest High School, Grand Island. Their senators are Cope and Wagner. They are Future Business leaders of America, whatever that means. Donna Sido (phonetic) is the teacher. Would you stand and be recognized please. Thank you for visiting the Legislature. Record the vote.

CLERK: 29 ayes, 3 nays, Mr. President, on the motion to advance the bill.

SENATOR CLARK: The bill is advanced. We will take up 212A.

CLERK: Mr. President, there are E & R amendments to 212A.

SENATOR CLARK: Read the amendments. Oh, E & R, pardon me. Senator Kilgarin.

SENATOR KILGARIN: I move adoption of the E & R amendment.

SENATOR CLARK: You heard the motion. All those in favor say aye, opposed. The E & R amendments are adopted. Do you have anything further on the bill?

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

SENATOR CLARK: Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 212.

SENATOR CLARK: You heard the motion. All those in favor say aye, opposed. The bill is advanced. LB 335.

CLERK: Mr. President, your committee on Revenue whose chairman is Senator Carsten instructs me to report LB 467 advance to General File with committee amendments attached; LB 770 indefinitely postponed. That is signed by Senator Carsten. (See pages 630-632 of the Legislative Journal.)

LB 807 is advanced to General File with committee amendments attached by the Urban Affairs Committee. That is signed by Senator Landis. (See pages 632-634 of the Journal.)

Banking Committee offers a confirmation report on gubernatorial appointments.

Mr. President, LB 335, the E & R amendments were adopted on January 29 of this year. At that time the bill was laid over. I now have an amendment pending by Senator Marsh, Mr. President, that is found on page 307 of the Journal.

SENATOR CLARK: Senator Marsh.

SENATOR MARSH: Thank you, Mr. Chairman and members of the Legislature, I agreed with the persons who opposed the legislation that I would bring the amendment to the body. I cannot personally support the amendment and I would like to read from a letter. This letter happens to be from a constituent of Larry Stoney's in District 4 and she says, "I am writing you concerning your bill, LB 335 and more specifically the amendment which would remove doctors, lawyers and clergy from reporting cases of neglect and abuse. I oppose this amendment. I do not oppose LB 335 which protects adults especially the elderly, disabled and handicapped from abuse and neglect. However, to remove anyone from the liability to report these incidents will make our reporting law ineffective. We cannot help adults if we have no way of obtaining the information on abuse and neglect."

SENATOR CLARK: Senator Koch.

SENATOR KOCH: Mr. Chairman and members, I rise to oppose the amendment that we are speaking to where we are going to allow supposedly immunity to about four classes of professional people. It reminds you only, and I'll quote a Dr. Paul Nelson of Omaha who has been very interested in child abuse who states and I quote directly. Dr. Nelson, Omaha doctors in child care and abuse said, "The reporting requirement has worked well and hasn't hurt anyone and for us to say that doctors, lawyers and clergymen and others should be

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LR 222
LB 126, 137, 139, 212,
212A, 215, 278, 304,
353, 410, 417, 421

PRESIDENT: Any discussion on the motion to appoint a committee of five to escort the Chief Justice into the Chamber? Hearing none, all those in favor then of the motion to appoint the committee signify by saying aye, opposed nay. Motion carries and the Chair appoints the following committee to escort the Chief Justice; Senator Nichol, Senator Vard Johnson, Senator DeCamp, Senator Cullan, and Senator Beutler. Those members would please follow Senator Nichol up the aisle and go to escort the Chief Justice. And now the Chair will read some matters in.

CLERK: Mr. President, new resolution, LR 222 by Senator Chambers. (Read.) Pursuant to our rules, that will be laid over, Mr. President.

Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 215 and find the same correctly engrossed; LB 304 correctly engrossed; LB 410 correctly engrossed; LB 278 correctly engrossed; LB 126 correctly engrossed; LB 212 correctly engrossed; LB 212A correctly engrossed; LB 353 correctly engrossed; LB 417 correctly re-engrossed; LB 139 correctly engrossed; LB 421 correctly engrossed; all signed by Senator Kilgarin.

Mr. President, your committee on Banking whose Chairman is Senator DeCamp instructs me to report LB 137 advanced to General File with committee amendments attached, Mr. President.

PRESIDENT: While we are waiting for the committee to come back, the Chair takes pleasure in introducing Bill Hefner, son of Senator Elroy Hefner. He is under the North balcony. Will Bill stand up and be recognized. Bill, where are you? Welcome to the Unicameral, Bill. The Legislature will be at ease until the committee returns. The Chair recognizes Sergeant at Arms, Ray Wilson.

SERGEANT AT ARMS: Mr. President, your committee now escorting his honor the Chief Justice of the Supreme Court of the State of Nebraska.

PRESIDENT: The committee will escort the Chief Justice to the podium. Chief Justice Norman Krivosha.

CHIEF JUSTICE NORMAN KRIVOSHA: (Gave the State of Judiciary Message as found on pages 689 - 703, Legislative Journal.)

PRESIDENT: The committee will escort the Chief Justice

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LB 531, 212-212A, 520, 754
761, 807, 942, 970-970A

having been complied with, the question is, shall the bill pass? It takes 30 votes. All those in favor vote aye, opposed nay.

CLERK: Senator Clark voting no.

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

CLERK: (Record vote read. See page 1822, Legislative Journal.) 36 ayes, 11 nays, 1 present and not voting, 1 excused and not voting, Mr. President.

SENATOR CLARK: The bill is declared passed on Final Reading. We will now go to item #5.

CLERK: Mr. President, a few items to read in. The bills that were read on Final Reading this morning are now ready for your signature, Mr. President.

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: While the Legislature is in session and capable of transacting business, I propose to sign and I do sign LB 531, 970A, 970, 942, 807, 754, and 761.

CLERK: Mr. President, I have an explanation of vote offered by Senator Higgins.

And Senator Cullan would like to print amendments to LB 212 and 212A. (See page 1823, Legislative Journal.)

PRESIDENT: Okay, anything else, Mr. Clerk?

CLERK: Nothing further, Mr. President.

PRESIDENT: We are ready then for as Senator Clark said agenda item #5, Select File, and I believe we start with LB 759, is that correct, Mr. Clerk? 520, is it? Okay, we will take up 520.

CLERK: Mr. President, LB 520 was considered yesterday by the Legislature. At that time the E & R amendments were adopted. Senator Howard Peterson then made a motion to indefinitely postpone the bill. That is presently before us, Mr. President.

PRESIDENT: The Chair recognizes Senator Peterson.

SENATOR HOWARD PETERSON: Mr. Chairman, last evening I handed out to this body a number of letters from a number

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LB 212, 212A

the bill for a specific amendment. All those in favor vote aye, opposed vote nay. Oh, I'm sorry, this is on the amendment. All those in favor of the amendment will vote aye, all those opposed vote nay. Record the vote.

CLERK: 30 ayes, 2 nays, Mr. President, on adoption of the amendment.

SENATOR CLARK: The amendment is adopted. Now the return of the bill. The motion is to readvance 212. All those in favor say aye, opposed. The bill is readvanced. We now go to LB 212A.

CLERK: Mr. President, first of all I have amendments from Senator Cullan printed on page 1825. I understand you wish to withdraw those, Senator.

SENATOR CLARK: Senator Cullan.

SENATOR CULLAN: Yes, Mr. President, those are to be withdrawn.

CLERK: All right, Mr. President, I have an amendment from Senator Vard Johnson. Senator Johnson would move to return LB 212A to Select File for a specific amendment.

SENATOR CLARK: Senator Johnson.

SENATOR JOHNSON: I'm going to have a Page pass this amendment out. It is a very simple amendment. Frankly it is just designed to alter the A bill to reflect the changes we adopted and the change that we just adopted in 212, number 1, make certain that the money for the Registry comes from the cigarette tax which as you may recall, one cent of the cigarette tax effective July 1, '83 is dedicated to cancer research. The money will come from that penny and in addition it eliminates any funding this current fiscal year since the registry system won't be in place this current fiscal year and for the next fiscal year the amount would be \$70,000 which is what the A bill has always been all along. It is a very simple amendment.

SENATOR CLARK: Is there any discussion on the amendment? The question then is the return of 212A for a specific amendment. All those in favor vote aye, opposed vote nay. Record.

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

SENATOR CLARK: The bill is returned. Now, on the amendment.

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LB 212A

SENATOR V. JOHNSON: Move the amendment, Mr. Speaker.

SENATOR CLARK: Is there any discussion on the amendment? If not, the question before the House then is the adoption of the amendment. All those in favor vote aye, opposed vote nay. Record the vote.

CLERK: 32 ayes, 0 nays, Mr. President, on adoption of Senator Johnson's amendment.

SENATOR CLARK: The amendment is adopted. Now the readvancement of the bill.

SENATOR V. JOHNSON: Move it be readvanced.

SENATOR CLARK: All those in favor of readvancing 212A say aye, opposed. The bill is readvanced. All right, go ahead, the next amendment.

CLERK: Mr. President, Senator Cullan would move to return LB 212A to Select File for a specific amendment.

SENATOR CLARK: Senator Cullan.

SENATOR CULLAN: Mr. President, members of the Legislature, a good number of other people signed on the amendment to LB 212A with me and when I finish here I would like the Clerk to identify those individuals who have signed LB 212, this amendment to the bill. This is an amendment to the budget bill which the Legislature has already passed. The amendment is very simple. It says that the general fund appropriations for the period July 1, 1982, to June 30, 1983, to the Nebraska Educational Television Commission, Program 533 as contained in LB 761, Eighty-seventh Legislature is reduced by \$72,382. Section 2 appropriates the same sum of money, \$72,382 from the general fund for a period beginning July 1, 1982, to June 30, 1983, to the Legislative Council for Program 122, that is legislative staffing. The net purpose of this amendment is to reduce the appropriation to the Nebraska Educational Television Commission by \$72,000 for the cost associated with coverage of the Legislature. And then these funds are then appropriated to the Legislature for staffing. The Legislature of course is making a decision, I think, with allocating these funds as to what is most important to the legislative process. Is it more important to televise the process full time or is it more important to see that the legislature is adequately staffed and that we have information available to us and research assistance available to us so that we can make appropriate decisions? I think as a matter of priorities it is clear to me that the staffing is more important. We may or may

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LB 212A

not need the \$72,000 which is being appropriated in this fashion. Those decisions would be made by the Executive Board of the Legislature and if, in fact, we need those funds, then they could be expended for staff. I personally believe that the Legislature would function better and the process would work better without full time televised coverage. I would like to make it clear that I'm not trying to kick the press out or do anything to restrict coverage of the Legislature but I do want to ensure that we are an open body but I wonder whether it is necessary that we fund full time coverage of the Legislature on television and on public television. I think the private media does an adequate job of informing the citizens of the State of Nebraska of the activities here in the Legislature and full time coverage I don't think adds to that substantially and so I think as a matter of priorities, a staff and adequate research assistance is more important. So I would urge you to join me and I believe thirteen or fourteen other legislators in this motion to LB 212 today. Thank you.

SENATOR CLARK: Senator Newell, for what purpose do you arise?

SENATOR NEWELL: A point of order. Mr. President, I'm sure that the amendment that Senator Cullan offers and his thirteen other people, legislators, excuse me, is neither germane nor appropriate nor needed at this late hour. I would like to have...

SENATOR CLARK: Well you are right. It is not germane.

SENATOR NEWELL: ...and, thank you. There is a lot of other things it is not also.

SENATOR CLARK: Is that enough for you?

SENATOR NEWELL: Well, that is probably what I wanted.

SENATOR CLARK: All right, cut his mike off. Give him a hacksaw, let him cut it off. I'll rule it not germane. It has nothing to do with cancer research. If we would allow this we would allow any appropriation on any A bill. We cannot do that. So I have to rule it not germane. If you want to contest that, you can. Senator Haberman, for what purpose do you arise?

SENATOR HABERMAN: A question of the Chair, please.

SENATOR CLARK: Yes.

SENATOR HABERMAN: If this were separated into two sections, section one and section two, would section two then be germane because it deals with salaries which deal with research which deals with cancer?

SENATOR CLARK: I'd have to check that out. I don't know that. It is not germane. We cannot allow any appropriation on any A bill. Otherwise we'd be doing it all the time. Any A bill would be subject to amendment by any appropriation. We can't do that. You can only have one appropriation in the A bill. The A bill is designed specifically for one bill.

SENATOR HABERMAN: Okay.

SENATOR CLARK: Do you have anything more on the bill? We will now go to 520.

CLERK: Mr. President, I have a series of motions on LB 520.

SENATOR CLARK: The first motion.

CLERK: Mr. President, the first motion I have is from Senator DeCamp. I understand, Senator, you want to substitute an amendment that you just gave? Okay.

SENATOR CLARK: Senator DeCamp.

SENATOR DeCAMP: Mr. President...

SENATOR CLARK: Any objection to the substitution? Senator Beutler objects. Senator DeCamp, did you want to move that? There is an objection.

SENATOR DeCAMP: Who is the objection from? Senator Beutler?

SENATOR CLARK: Senator Beutler and Senator Wesely I think.

SENATOR DeCAMP: Well I will make it simple. I'll offer this as an amendment to my other amendment. Pardon?

SENATOR CLARK: You cannot do that. This is a specific amendment. You cannot alter the amendment.

SENATOR DeCAMP: Well I'd like to substitute this. It is the same principle, same everything, simpler, better language. You don't want that? Why? I'll move to substitute it.

SENATOR CLARK: All right, the motion before the House is to substitute the amendment for the one he had up here. All those in favor of that will vote aye. All opposed will vote nay. Senator Haberman, for what purpose do you rise?

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LB 212, 212A, 404, 404A, 488,
547, 626, 816, 816A, 933

SENATOR CLARK: All right. Do you want to read the bills in.

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and re-engrossed LB 933 and find the same correctly engrossed; 547 correctly engrossed, 488 correctly re-engrossed; 816 correctly engrossed; 816A correctly engrossed; 404 correctly re-engrossed; 404A correctly re-engrossed and 212 and 212A both correctly re-engrossed, Mr. President, signed by Senator Kilgarin as Chair.

SENATOR CLARK: We are waiting on LB 255 and LB 255A. Are they on their way up? A motion to read in.

CLERK: Mr. President, Senators Hoagland and Wesely move that LB 626 become law notwithstanding the action of the Governor. That LB 626 become law notwithstanding the action of the Governor.

SENATOR CLARK: Any more motions on the desk? Who wants a point of order?

SENATOR DeCAMP: Mr. President, can this be taken up tomorrow? We're in session tomorrow, right?

SENATOR CLARK: That is right.

SENATOR DeCAMP: Is there any problem with taking the motion up tomorrow?

SENATOR CLARK: Which one, the one he just read?

SENATOR DeCAMP: The one he just read.

SENATOR CLARK: That will be taken up tomorrow. Wait a minute, wait a minute. Evidently this has to be considered today because this is the fifth day according to the Clerk.

SENATOR DeCAMP: Mr. President, and may I speak briefly? I'm the sponsor of 626. I personally have no intention of offering a veto override. I'm one of those that believes if you have the votes, you try it or reasonably have them. I don't have the votes. I think in the next six months people will learn the bill is necessary. I don't think that information is available today.

SENATOR CLARK: Well I didn't make the motion. Senator Beutler did and Senator Wesely I think, Hoagland and Wesely, I'm sorry. Senator Wesely, do you want to take it up?

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LB 212A, 255, 255A

CLERK: (Read LB 212A on Final Reading.)

SENATOR LAMB: All provisions of law relative to procedure having been complied with, the question is, shall the bill pass. All those in support vote yes, those opposed no.

CLERK: Senator Lamb voting yes.

SENATOR LAMB: Have you all voted? Record.

CLERK: (Read record vote as found on pages 1967-1968 of the Legislative Journal.) 37 ayes, 11 nays, 1 excused and not voting, Mr. President.

SENATOR LAMB: The bill passes on Final Reading. Please read the next bill.

ASSISTANT CLERK: (Read LB 255 on Final Reading.)

SENATOR LAMB: All provisions of law relative to procedure having been complied with, the question is, shall the bill pass with the emergency clause attached. Those in support vote yes, those opposed vote no. It requires 33 votes.

ASSISTANT CLERK: Senator Lamb voting yes.

SENATOR LAMB: Have you all voted? Record.

ASSISTANT CLERK: (Read roll call vote as found on page 1968 of the Legislative Journal.) The vote is 48 ayes, 0 nays, 1 excused and not voting, Mr. President.

SENATOR LAMB: LB 255E passes on Final Reading. Before we continue we have from Senator DeCamp's district, 6 eighth grade students and 4 adults from St. John's Catholic School Petersburg, Nebraska, Don Adams, Principal, in the North balcony, and by the way, Senator DeCamp attended this school. Would you please stand and be recognized if you are still in the area. Thank you for visiting your Legislature. Also from Senator Warner's district, 40 fourth grade students, Mrs. Jill Lambert, teacher, in the North balcony. Please rise and be recognized. Welcome to your Legislature. The next bill is LB 255 A (E).

ASSISTANT CLERK: (Read LB 255A on Final Reading.)

SENATOR LAMB: All provisions of law relative to procedure having been complied with, the question is, shall the bill pass with the emergency clause attached. Those that are in support vote yes, those opposed vote no. It takes 33 votes.

LR 212, 266, 268, 269, 272, 274, 277,
278, 287, 292, 293, 295, 298, 304,
313, 316, 331, 359, 380, 388, 389
LB 278, 378, 378A, 480, 568, 602A,
604, 629, 629A, 669A, 688, 693, 708, 760,
835, 909, 967, 522, 212, 212A, 255, 255A

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RECESS

PRESIDENT LUEDTKI PRESIDING

PRESIDENT: Has everybody recorded your presence?
Record the presence, Mr. Clerk.

CLERK: Quorum present, Mr. President. Mr. President, I have a reference report from the Executive Board referring a gubernatorial appointment. (Page 1971 of the Legislative Journal.)

Mr. President, new resolutions. LR 388 offered by Senators Cullan and Newell. (Read LR 388 as found on pages 1973 and 1974 of the Legislative Journal.) Mr. President, 389 offered by Senator Wesely. (Read LR 389 as found on page 1974 of the Legislative Journal.)

Mr. President, I have an Attorney General's Opinion addressed to Senator Koch. That will be inserted in the Journal. (See pages 1974 through 1976 of the Legislative Journal regarding LB 602A.) That is on LB....Bingo, that is right, senator.

Mr. President, I have a message from the Governor addressed to the Legislature. (Read message. Pages 1976-77 of the Journal regarding LB 669A.)

Mr. President, two other communications from the Governor addressed to the Clerk. (Read communications regarding LBs 278, 378, 378A, 480, 568, 604, 629, 629A, 688, 693, 708, 760, 835, 909, 967. Page 1977 of the Journal.) A second letter to the Clerk, Mr. President. (Read letter regarding LBs 609, 609A, 669, 714, 714A, 854, 854A. Page 177 of the Journal.)

Mr. President, I have a gubernatorial appointment of Mr. Robert Borgmann to the Motor Vehicle Industry Licensing Board. (See page 1978 of the Journal.)

Mr. President, the bills that we have read on Final Reading this morning are now ready for your signature as well as the resolutions that were passed Wednesday of this week by the Legislature.

PRESIDENT: While the Legislature is in session and capable of transacting business I propose to sign and I do sign LR 212, LR 266 and LR 268, 269, 272, 274, 277, 278, 287, 292, 293, 295, 298, 304, 313, 316, 331, 359, and 380. And the LBs are engrossed legislative bills 522, 212, 212A, 255, and 255A. Okay, as I understand it we

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LB 212, 212A, 255, 255A, 522,
759, 787E, 799, 816A

SENATOR LAMB: Have you all voted? Record.

CLERK: (Read the record vote as found on page 1991 of the Legislative Journal.) 40 ayes, 7 nays, 2 excused and not voting, Mr. President.

SENATOR LAMB: LB 759 passes on Final Reading. The next bill is LB 787E.

ASSISTANT CLERK: (Read LB 787E on Final Reading.)

SENATOR LAMB: All provisions of law relative to procedure having been complied with, the question is, shall the bill pass with the emergency clause attached? All those in support vote yes, all those opposed vote no. It requires 33 votes.

CLERK: Senator Lamb voting yes.

SENATOR LAMB: Have you all voted? Record.

CLERK: (Read the record vote as found on page 1992 of the Legislative Journal.) 46 ayes, 0 nays, 2 excused and not voting, 1 present and not voting, Mr. President.

SENATOR LAMB: LB 787 passes with the emergency clause attached. LB 799.

CLERK: Mr. President, if I may right before that read some items in. I have a lobby report for the week of April 8 through April 15. (See page 1993 of the Journal.) Your Enrolling Clerk has presented to the Governor the initial bills that were read on Final Reading this morning. (See page 1993 regarding LBs 522, 212, 212A, 255 and 255A in the Journal.)

Mr. President, I have two Attorney General's Opinions, one to Senator Warner and one to Senator DeCamp. (See pages 1993-97 of the Legislative Journal.)

Mr. President, I have a reference report referring a gubernatorial appointment.

SENATOR LAMB: Please read the bill.

CLERK: Mr. President, I have a motion on the bill. Senator Remmers would move to return LB 799 to Select File for a specific amendment, that amendment being to strike the enacting clause.