

January 15, 1981

LB 193-222

rules which the motion is before the desk.

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

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

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

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

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

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

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

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

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

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LB 21, 67, 77, 80,
LB 104, 124, 143, 167, 234A,
LB 186, 188A, 206, 221, 236

SPEAKER MARVEL: The Chair is going to make a suggestion. We are going to be facing this kind of procedure from now on and the Chair would like to meet with Senator Chambers. The Chair would like to meet in the Speaker's office with Senator Chambers, Senator Beutler, Senator Kremer and Senator Goodrich immediately upon adjournment and see if we can settle this without taking all this extra time. Now what is before the House? Okay, the Clerk has some items to read in. I would like to meet with Senator Chambers, Beutler, Kremer and Goodrich as soon as we adjourn.

CLERK: Mr. President, your committee on Public Works gives notice of hearing in Room 1517. Your Committee on Education gives notice of public hearing in Room 1517.

Mr. President, a second notice from the committee on Education regarding scheduling of public hearings.

Mr. President, new bills. (Read LB 188A; LB 234 A. See page 478 of the Legislative Journal.)

Mr. President, I have an Attorney General's opinion addressed to Senator Maresh regarding LB 518 from the 1977 legislative session.

Senator Burrows would like to have amendments printed in the Legislative Journal. (See page 479 regarding amendments to LB 167.)

I have notice of hearing from the Public Works Committee.

Mr. President, your committee on Ag and Environment whose chairman is Senator Schmit to whom is referred LB 80 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; 104 General File with amendments; 236 General File with amendments, (Signed) Senator Schmit. (See page 480 of the Journal.)

Your committee on Government, Military and Veterans Affairs whose chairman is Senator Kahle to whom is referred LB 221 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; 21 General File with amendments; 186 General File with amendments, (Signed) Senator Kahle. (See page 481 of the Journal.)

Mr. President, your committee on Miscellaneous Subjects whose chairman is Senator Hefner to whom is referred LB 124 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; 206 General File; 67 General File with amendments; 77 General File with amendments.

and this bill includes livestock instead of just cattle. Currently, the maximum for charging brand inspection is 35 cents per head and they are recommending a maximum of 65 cents per head. They always have not jumped to the maximum immediately but will go up in price as it requires to meet their demands. So the maximum would be 65 cents per head. A few other things that are brought up in the bill, one is that a mark can no longer be used but it must be a brand which is actually performed by heat or freezing. The recording fee for a brand would be raised from \$15 to \$25 and this is paid every four years. It also includes partnerships that may have a brand and if you want to change the ownership the fee will go from \$15 to \$25. They are changing the name of the committee secretary from secretary to director. And then also the fee having to deal with large stockgrowers or feeders is also raised accordingly as the others but they pay it only once a year. There is also two other small things in the bill that you should know about. One is that when somebody takes a critter to a livestock sale and no-sales it, in other words does not sell it, they still must prove ownership of that animal before they can take it. They may provide a bond or cash, but they still must provide ownership. The other thing that is in the bill is that when someone takes a branded animal to be slaughtered and they cannot prove the brand on it, they must do so before the meat can be taken from the slaughtering place, thereby they must prove ownership and they are not allowed to kill branded animals that cannot be proved before taking the meat away. Mr. Chairman, I move for the advancement of LB 236.

PRESIDENT: The Chair recognizes Senator Lamb. Senator Lamb waives. Is there anything further, Senator Nichol? If not, there are no other speakers, so the motion is the advance of LB 236. All those in favor vote aye, opposed nay. Record the vote.

CLERK: 34 ayes, 0 nays, Mr. President, on the motion to advance the bill.

PRESIDENT: The motion carries and LB 236 is advanced to E & R Initial. We now have the last bill on the agenda for the day, LB 221 on General File. Read the bill, Mr. Clerk.

CLERK: Mr. President, LB 221, offered by Senators Wagner, Fitzgerald, Chronister, VonMinden and Hefner. (Read title.) It was read the first time on January 15. It was referred to Government, Military and Veterans Affairs. It

February 17, 1981

LB 221, 167

was advanced to General File. I have no amendments on the bill, Mr. President.

PRESIDENT: Senator Fitzgerald, are you handling this?

SENATOR FITZGERALD: Mr. President and members, it is getting late and this bill won't take too long. LB 221, current Nebraska law defines a Vietnam person who served on active duty other than for training purpose. This is the point I want to emphasize, "other than for training purposes for 30 days or more unless discharged for service incurred disability" in the Armed Forces of the United States between August 5, 1964, and May 7, 1975. LB 221 takes out the wording of "other than for training purposes for 30 days or more unless discharged for a service incurred disability". By this wording change the bill will define a Vietnam veteran in the same term as any other veteran from World War I, World War II, or the Korean War. This is what the bill does. It gives the Vietnam veteran the same privilege as another veteran in the United States has.

PRESIDENT: Any further discussion on LB 221? Senator Fitzgerald, I guess your opening is your closing and the question is the advance of LB 221 to E & R Initial. All those in favor vote aye, opposed nay. Record the vote.

CLERK: 35 ayes, 0 nays, Mr. President, on the motion to advance the bill.

PRESIDENT: The motion carries and LB 221 is advanced to E & R Initial. I congratulate you all for sticking to it and getting the agenda completed for this day. Are there messages on the desk, Mr. Clerk?

CLERK: Mr. President, your Committee on Miscellaneous Subjects gives notice of public hearing for March 12. Senator Hoagland would like to print amendments to LB 167 in the Journal. (See page 553 of the Legislative Journal.) Again, Mr. President, Senator Maresh would like to have a meeting of the Business and Labor Committee underneath the north balcony upon adjournment.

PRESIDENT: The Chair recognizes Speaker Marvel.

SPEAKER MARVEL: The motion is to adjourn until nine o'clock tomorrow morning.

PRESIDENT: The motion is to adjourn until nine o'clock Wednesday morning. All those in favor signify by saying

February 19, 1981

LB 24, 34, 80, 104, 165,
167, 221, 236, 260

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by Reverend Kalmer Knudson, St. Paul United Church of Christ here in Lincoln.

REVEREND KALMER KNUDSON: (Prayer offered.)

PRESIDENT: Roll call.

CLERK: Mr. President, Senator Kremer would like to be excused until he arrives.

PRESIDENT: Senator Landis, Senator Koch, Senator Wiitala, would you all show your presence so we can have a quorum. Thank you. 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, Mr. President.

PRESIDENT: The Journal will stand as correct as published. Any messages, reports and announcements.

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined and reviewed LB 34 and recommend that same be placed on Select File with amendments; 260 Select File with amendments; 80 Select File; 104 Select File with amendments; 236 Select File with amendments; 221 Select File. (Signed) Senator Kilgarin, Chair.

Mr. President, your committee on Banking, Commerce and Insurance gives notice of continuation of public hearing.

And finally, Mr. President, I have a report from the Nebraska Power Review Board. That will be on file in my office.

Mr. President, Senator Warner would like to print amendments to LB 167, 165 and LB 24, print amendments in the Legislative Journal.

PRESIDENT: We are ready then for Final Reading, agenda item #4. All legislators will be at their desks. All other personnel will leave the floor of the Legislature. The Sergeant at Arms will see to it that all others are off of the floor. The Legislature will be on Final Reading.

February 23, 1981

LB 236, 221, 21, 104

SENATOR KILGARIN: I move LB 104 be advanced to E & R for engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. The motion is carried. LB 104 is advanced. LB 236.

CLERK: There are E & R, Senator.

SENATOR KILGARIN: I move the E & R amendments to LB 236.

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 236 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. The next bill is LB 221.

SENATOR KILGARIN: I move LB 221 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. LB 21.

SENATOR KILGARIN: I move the E & R amendments to LB 21.

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

CLERK: Mr. President, I have an amendment by Senator Lamb. The amendment reads as follows: (Read Lamb amendment found on page 631, Legislative Journal.) That is offered by Senator Lamb.

SPEAKER MARVEL: Senator Lamb.

SENATOR LAMB: Mr. President and members, this amendment was brought to me by a judge in my district and I think he has a good point, the point being that the determination as to whether or not the county attorney is a full time county attorney should be made by the county board prior to the time that the county attorney files for office. In other words, all the candidates for county attorneys should know whether or not the county board is going to elect to have a full time county attorney before their filing date. Otherwise, they would not know what their situation would be. It would probably cause some misunderstanding. I move the amendment be adopted.

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, 186, 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 2, 1981

LB 221, 236, 260

ASSISTANT CLERK: (Read LB 221 on Final Reading.)

SPEAKER MARVEL: All provisions of law having been complied with, the question is, shall the bill pass? Those in favor vote aye, opposed vote no. LB 221 on Final Reading. Record the vote.

ASSISTANT CLERK: (Read the record vote as found on page 713 of the Legislative Journal.) The vote is 48 ayes, 0 nays, 1 excused and not voting. Senator Hoagland changing to not voting. The vote is 47 ayes, 0 nays, 1 excused and not voting, 1 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. The next bill LB 236 on Final Reading. The Clerk will read.

ASSISTANT CLERK: (Read LB 236 on Final Reading.)

SENATOR CLARK PRESIDING

SENATOR CLARK: All provisions of law having been complied with, the question is, shall LB 236 pass with the emergency clause attached? All those in favor vote aye. All those opposed vote no.

CLERK: Senator Clark voting aye.

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

CLERK: (Read the record vote as found on page 714 of the Legislative Journal.) 46 ayes, 0 nays, 1 excused and not voting, 2 present and not voting, Mr. President.

SENATOR CLARK: The bill is declared passed with the emergency clause attached. The Clerk will now read LB 260.

CLERK: (Read LB 260 on Final Reading.)

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: 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 favor vote aye, opposed vote no. Have you all voted? Clerk, record the vote.

CLERK: (Read the record vote as found on page 715 of

March 3, 1981

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by the Reverend William Pfeffer from the Panama Presbyterian, also at the Wesleyan University here in Lincoln.

REVEREND PFEFFER: Prayer offered.

PRESIDENT: Roll call.

CLERK: Mr. President, Senator Hoagland would like to be excused until he arrives.

PRESIDENT: Have you all registered your presence? Record the presence, Mr. Clerk.

CLERK: Quorum present, Mr. President.

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

CLERK: I have no corrections, Mr. President.

PRESIDENT: All right, the Journal will stand correct as published. Are there any messages, reports or announcements?

CLERK: Mr. President, I have an Attorney General's opinion addressed to Senator Newell and one to Senator Schmit regarding the Nebraska Corn Resources Act. (See pages 718-721 of the Legislative Journal.)

Mr. President, your committee on Appropriations whose chairman is Senator Warner refers LB 159 as indefinitely postponed, (Signed) Senator Warner.

Mr. President, LB 290 which was referred to Public Works reports the same to General File with amendments, (Signed) Senator Kremer as Chair. (See pages 721-722 of the Journal.)

Mr. President, LB 274A offered by Senator DeCamp. (Title read.) New A bill, LB 459A by Senator Fowler. (Title read.) (See page 722 of the Journal.)

Mr. President, your committee on Public Health and Welfare gives notice of cancellation and resetting of public hearing.

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

PRESIDENT: While the Legislature is in session and capable of doing business I propose to sign and I do sign LB 110, LB 214, LB 65, LB 21, LB 67, LB 77, LB 80, LB 109, LB 186, LB 221, LB 236 and LB 260. Anything further, Mr. Clerk?

LB 21, 24, 38, 44, 54, 65, 67,
 77, 80, 104, 109, 110, 154,
 186, 214, 221, 236, 260, 264,
 275, 288, 459

March 3, 1981

File with amendments; 264 to General File, (Signed)
 Senator Cullan, Chair.

Mr. President, your committee on Judiciary reports LB 44
 to General File with amendments.

Mr. President, new resolution offered by Senator Fowler,
 LR 27. (Read.) That will be laid over pursuant to our
 rules, Mr. President.

Mr. President, your committee on Enrollment and Review
 respectfully reports we have carefully examined and en-
 grossed LB 24 and find the same correctly engrossed, 38,
 54, 104, 154 and 275 and 288 all correctly engrossed,
 (Signed) Senator Kilgarin, Chair.

Mr. President, your Enrolling Clerk reports that she has
 presented to the Governor for his approval LBs 110, 214,
 65, 21, 67, 77, 80, 109, 186, 221, 236 and 260.

SPEAKER MARVEL: The next bill on Select File is LB 459.

CLERK: Mr. President, there are E & R amendments to LB 459.

SPEAKER MARVEL: Senator Kilgarin, E & R amendments to 459.

SENATOR KILGARIN: Mr. Speaker, I move the E & R amendments
 to LB 459.

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

CLERK: Mr. President, I now have a motion from Senator
 Fowler. (Read Fowler amendment as found on page 733 of
 the Legislative Journal.)

SPEAKER MARVEL: The Chair recognizes Senator Fowler.

SENATOR FOWLER: Mr. President, this bill changes the
 contribution rates with regards to certain aspects of
 retirement. In working with the legislative fiscal staff
 we felt that rather than have the bill take effect on what-
 ever day, ninety days after the session which may be in the
 middle of a pay period, that we would try and pick a date
 for it to take effect so as to ease implementation. So
 this is for October 1. This really is an amendment to
 help with the mechanical aspects of adjusting the payroll
 to reflect the new contribution rates for the retirement
 plan. I would move for its adoption.

SPEAKER MARVEL: All those in favor of the Fowler amendment

March 9, 1981

LB 67, 72, 73, 77, 113,
144A, 186, 214, 221, 459A.

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by Chaplain Coordinator Palmer.

DR. ROBERT PALMER: Prayer offered.

PRESIDENT: Roll call.

CLERK: Mr. President, Senators Burrows, Cullan, Hoagland and Beutler would like to be excused until they arrive, and Senators Higgins, Koch, Maresh and Stoney all day.

PRESIDENT: Have you all recorded your presence? Record the presence, Mr. Clerk.

CLERK: Quorum present, Mr. President.

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

CLERK: I have no corrections, Mr. President.

PRESIDENT: Any messages, reports or announcements?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports that we have carefully examined and reviewed LB 459A and recommend that same be placed on Select File; 144A Select File; 72 Select File with amendments, and 73 Select File with amendments. (Signed) Senator Kilgarin. (See pages 789 and 790 of the Legislative Journal.)

Mr. President, your Committee on Banking, Commerce and Insurance whose Chairman is Senator DeCamp reports LB 113 to General File with amendments. (See page 790 of the Legislative Journal.)

Mr. President, I have a report from the Public Works Committee regarding the appointments of...certain gubernatorial appointments and confirmation thereof. (See page 791 of the Legislative Journal.)

Mr. President, communications from the Governor addressed to the Clerk. (Read communications regarding LB 77, 67, 186, 214 and 221 as found on pages 791 and 792 of the Legislative Journal.)

Mr. President, I have letters making appointments to the Crime Victims Reparations Board, to the Rural Health Manpower Commission and to the Investment Council. (See pages 792 and 793 of the Legislative Journal.)