

January 16, 1981

LR 5

Taiwan, and to answer Senator Wesely's question, is it going to make Red China unhappy? Are they going to call me or Senator Remmers naughty names for voting for it? I don't think so but they are going to be aware of the fact, they are going to be aware of the fact that this particular state which they have to rely on for agricultural products, too, isn't going to play the game of, we want to be your friend so we stab our old friend in the back. We will export grain to any of them and food, but not on terms of tit for tat, stab old friends for new friends. I urge you to support the resolution.

PRESIDENT: The question before the House is the adoption of LR 5. All those in favor vote aye, opposed nay. Have you all voted? Record the vote.

CLERK: 35 ayes, 3 nays on adoption of the resolution, Mr. President.

PRESIDENT: The motion carries. The resolution is adopted. Anything to be read in before we go into introduction of bills?

CLERK: Well one thing, Mr. President, your committee on Urban Affairs would like to have an executive session for Monday, January 19, 1981, upon adjournment.

Mr. President, your committee on Ag and Environment whose chairman is Senator Schmit gives notice of public hearing in Room 1520 for Friday, January 30. (See page 199 of the Legislative Journal.)

PRESIDENT: We are ready then for agenda item #5, introduction of new bills. Mr. Clerk, you may proceed with the reading of the new bills to be introduced today.

CLERK: Read title to LB 229-233 as found on pages 198-200 of the Legislative Journal. Mr. President, in conjunction with that bill we have a communication from the Governor advising the Legislature as to the intent of the bill and the supplemental appropriations required by various state programs. That will be inserted in the Legislative Journal. (See pages 203-204.)

Read title to LB 233-246 as found on pages 200-203 of the Legislative Journal.

Mr. President, your committee on Public Works gives notice of hearing for January 30 and February 6 and that is signed by Senator Kremer as chairman.

LB 51, 63, 74, 94, 106, 113A, 150, 154,  
190, 195, 225, 261, 272, 281, 284A, 351,  
409, 418, 421, 426, 466, 229

March 12, 1981

Mr. President, some items to read in, LB 113A by Senator DeCamp. (Read LB 113A for the first time by title.) LB 284A by Senator DeCamp. (Read LB 284A for the first time by title.)

Your Enrolling Clerk respectfully reports that she has on this day presented to the Governor LB 51, 150, 195, 272, 409 and 154.

Your Committee on Education reports 63 indefinitely postponed. (Signed) Senator Koch.

Your Committee on Public Works reports 229 to General File and 94 General File with amendments. (Signed) Senator Kremer.)

Your Committee on Banking reports 421 to General File with amendments. (Signed) Senator DeCamp.

Your Committee on Public Health reports 261 and 466 to General File with amendments.

Mr. President, Senator Nichol would like to print amendments to LB 74 in the Journal. Banking, Commerce and Insurance Committee sets hearing. Senator Koch would like to print amendments to LB 190. Senator Kilgarin asks unanimous consent to be excused tomorrow. I have notice of priority bill designation of the Speaker. Your Committee on Banking, Commerce and Insurance reports 426 to General File with Amendments. (See pages 882 through 896 of the Legislative Journal.)

Mr. President, Senator Schmit would like to have the Ag and Environment Committee tomorrow morning at eight o'clock in Room 1520, Ag and Environment Committee tomorrow morning.

Mr. President, your Committee on Government, Military and Veterans Affairs reports 281 to General File with amendments; LB 351 General File; LB 418 to General File; LB 106 as indefinitely postponed; and LB 225 as indefinitely postponed. Those are all signed by Senator Kahle as Chairman.

Mr. President, the Business and Labor Committee will have an Exec Session at 1:00 p.m. today in Room 1019; Business and Labor at 1:00 p.m. today.

Mr. President, Senator Vard Johnson asks to be excused tomorrow.

January 8, 1982

LB 403, 229

SPEAKER MARVEL: Motion is carried. The committee amendments are adopted. Now what would you like to do with the amendments?

SENATOR V. JOHNSON: I move the bill be advanced. I pretty much made my remarks concerning the bill when I dealt with the committee amendments. If any members have any questions I will be glad to take them up.

SPEAKER MARVEL: The motion is the advancement of the bill as explained by Senator Johnson. All those in favor vote aye, opposed vote no. Have you all voted? Record.

CLERK: 26 ayes, 0 nays, Mr. President, on the motion to advance the bill.

SPEAKER MARVEL: Motion is carried and the bill is advanced. Senator Clark, are you ready for 229?

CLERK: Mr. President, LB 229 (read title). The bill was read on January 16, referred to Public Works Committee for public hearing last year. It was advanced to General File, Mr. President.

SPEAKER MARVEL: The Chair recognizes Senator Clark.

SENATOR CLARK: Mr. President and members of the Legislature, this is kind of a simple bill and I will explain really what it does. If someone is living in one telephone exchange, and we have forty-three of them in Nebraska, and they want to go to another exchange, they go to the Public Service Commission and said, "I have inadequate service because I have to make a toll call to another exchange", what this bill says is that making a toll call is not inadequate service. As long as your telephone is working, it is not inadequate service. The Public Service Commission has always stated that that is not inadequate service. However, this is to clarify a court action that it is not inadequate service just because you have to belong to another exchange. There are circumstances where the telephone regulatory body, which is the PSC, will allow you to go to another exchange if it is agreeable with both exchanges. But you can see the mess we would have in Nebraska if they would just arbitrarily go from one exchange to another. The telephone companies are set up to where the installer of that telephone may have spent eight, ten, fifteen thousand dollars installing the telephone and then they would have to go to another exchange, it would not be fair. So I would move that 229 be advanced to E & R.

January 8, 1982

LB 229, 94, 727-729

SPEAKER MARVEL: The motion is the advancement of LB 229. All those in favor of that motion vote aye, opposed vote no. Telecommunications bill. Have you all voted? The Clerk will record the vote.

CLERK: 32 ayes, 0 nays on the motion to advance the bill, Mr. President.

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

CLERK: Yes, Mr. President, two new bills, LB 727 (read title); LB 728 (read title); LB 729 (read title). (See pages 179 and 180, Legislative Journal.)

And, finally, Mr. President, I have a notice of hearing cancellation offered by Senator Schmit on a gubernatorial appointment previously set.

SPEAKER MARVEL: Senator Beutler, are you ready for LB 94?

SENATOR BEUTLER: Yes, Mr. Speaker, I would like to proceed with it.

SPEAKER MARVEL: Okay.

CLERK: Mr. President, LB 94 offered by Senator Beutler. (Read title). The bill was first read on January 12 of last year. It was referred to the Public Works Committee for hearing. The bill was advanced to General File. There are committee amendments attached, Mr. President.

SENATOR BEUTLER: I would just take the committee amendments.

SPEAKER MARVEL: Senator Kremer.

SENATOR KREMER: I will yield to Senator Beutler.

SENATOR BEUTLER: Mr. Speaker, the committee amendments are simply...it is a technical amendment to correct an error in the original drafting of the bill and so I would ask the indulgence of the body to simply adopt the committee amendments which is the bill, which would be the concept in the bill then, and then we can vote the bill up or down.

SPEAKER MARVEL: We are talking about the committee amendments, right?

SENATOR BEUTLER: Yes, I would just ask the adoption of the committee amendment. The committee amendment is the bill.

January 19, 1982

LB 229, 309, 403, 417, 418, 490,  
492, 542, 563, 564, 565, 566, 421

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer this morning by the Reverend Gerald Lundby, Paster of the American Lutheran Church here in Lincoln.

REVEREND LUNDBY: Prayer offered.

PRESIDENT: Roll call. Have you all registered your 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: Mr. President, page 322, line 32, strike "960" and insert "860". On page 309, line 5, strike "7 nays" and insert "9 nays".

PRESIDENT: The Journal will stand corrected as published. Any messages, reports or announcements.

CLERK: Mr. President, your committee on Public Health gives notice of hearing for January 25, 26, February 1, 2 and 9, and that is signed by Senator Cullan.

Your committee on Administrative Rules gives notice of hearing for Monday, January 25.

Your committee on Urban Affairs whose Chairman is Senator Landis gives notice of hearing for January 27 and February 3.

Mr. President, I have an appointment from the Secretary of State to the Political Accountability and Disclosure Commission. That will be referred to the Reference Committee. (See page 331 of the Legislative Journal).

Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 492 and recommend that same be placed on Select File with amendments; 403 Select File with amendments; 229 Select File; 563 Select File; 564 Select File; 565 Select File; 566 Select File; 309 Select File; 417 Select File with amendments; 421 Select File with amendments; 418 Select File; 490 Select File; 542 Select File with amendments. Those are all signed by Senator Kilgarin as Chairman. (See pages 333 through 339 of the Legislative Journal).

CS66

SENATOR CLARK: The motion is to adopt the amendments, the E & R amendments. All those in favor say aye, opposed nay. The amendments are adopted. Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 403.

SENATOR CLARK: The motion is to advance LB 403. All those in favor say aye, opposed nay. Senator Haberman, for what purpose do you rise?

SENATOR HABERMAN: The purpose I rise, I'd like to request a machine vote on these please.

SENATOR CLARK: Do what?

SENATOR HABERMAN: I'd like to request a machine vote on advancing these bills to Final Reading.

SENATOR CLARK: On all of them?

SENATOR HABERMAN: Why not?

SENATOR CLARK: I think you're going to have to do them one at a time. I'm not going to take a motion to do them all.

SENATOR HABERMAN: Well now, I'm not going to argue with you but beings that you feel that way, the book says a senator can request this but I won't push you beings everybody is in such a big hurry but I think we're making a big mistake in doing this so fast. Thank you, Mr. President.

SENATOR CLARK: I don't think we're in a hurry, Senator Haberman. What we're trying to do is clear Select File for those that do not have amendments. If they have amendments and they are controversial, what we're going to do is take them up one at a time in their order with amendments. Do you have any objection to that? A machine vote has been requested on 403. He withdraws the motion. The bill is advanced. LB 229.

CLERK: There are no amendments, Senator.

SENATOR KILGARIN: I move we advance LB 229.

SENATOR CLARK: The motion to advance 229. All those in favor say aye, opposed. The bill is advanced. LB 463. Pardon me, 563.

SENATOR KILGARIN: I move we advance LB 563.

LR 209  
LB 229, 264, 309, 347, 403,  
418, 423, 490, 492, 542, 563-66,  
572, 600, 613, 635, 669

February 1, 1982

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by Chaplain.

DR. ROBERT PALMER: Prayer offered.

PRESIDENT: Roll call. Have you all recorded your 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: Mr. President, on page 480, line 3, strike the word "approved" and insert the word "adopted".

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

CLERK: Mr. President, your committee on Public Works whose Chairman is Senator Kremer to whom was referred LB 613 instructs me to report the same back to the Legislature with the recommendation it be indefinitely postponed; LB 600 indefinitely postponed; and LB 669 advanced to General File with committee amendments attached. That is signed by Senator Kremer. (See page 485 of the Legislative Journal).

Mr. President, Senator Kahle would move to place LB 635 on General File notwithstanding the action of the Public Health and Welfare Committee. That will be laid over.

Your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 229 and find the same correctly engrossed; 264, 309, 347, 403, 418, 423, 490, 492, 542, 563, 564, 565, 566, and 572 all correctly engrossed.

Mr. President, I have an Annual Report from the Nebraska State Board of Landscape Architects. That will be on file in my office.

Mr. President, LR 209 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 209.

CLERK: Mr. President, I have a report from Public Works

February 3, 1982

LB 229, 264, 309

SPEAKER MARVEL: Senator Schmit.

SENATOR SCHMIT: Mr. President, members of the Legislature, I move the suspension of the rules so that we may read those bills and proceed with the work of the Legislature.

SPEAKER MARVEL: All in favor of Senator Schmit's motion vote aye, opposed vote no. Have you all voted? Record the vote.

CLERK: 34 ayes, 2 nays, Mr. President, to suspend the rules to read the bills.

SPEAKER MARVEL: Motion is carried. The Clerk will read on Final Reading LB 229.

CLERK: (Read LB 229 on Final Reading.)

SPEAKER MARVEL: All provisions of law relative to procedure having been complied with, the question is, shall the bill pass? Those in favor vote aye, opposed vote no. Have you all voted? Clerk, record the vote.

CLERK: (Record vote read. See page 517, Legislative Journal.) 40 ayes, 3 nays, 3 excused and not voting, 3 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed. The Clerk will now read on Final Reading LB 264.

CLERK: (Read LB 264 on Final Reading.)

SPEAKER MARVEL: All provisions of law relative to procedure having been complied with, the question is, shall the bill pass? Those in favor vote aye, opposed vote no. LB 264 on Final Reading. Have you all voted? Clerk, record the vote.

CLERK: (Record vote read. See pages 517 and 518, Legislative Journal.) 45 ayes, 0 nays, 3 excused and not voting, 1 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. The Clerk will now read on Final Reading LB 309.

CLERK: (Read LB 309 on Final Reading.)

SPEAKER MARVEL: All provisions of law relative to procedure having been complied with, the question is, shall the bill pass? Those in favor vote aye, opposed vote no. LB 309 on Final Reading. Have you all voted? Clerk, record the vote.



February 4, 1982

LB 32, 69, 192, 198, 229, 231, 239,  
263, 264, 270, 309, 347, 370, 403,  
418, 423, 431, 448, 449, 490, 492,  
511, 542, 563-66, 572, 592

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: The opening prayer will be given by Pastor Glenn Frazier of the Antelope Park Church of the Brethren.

PASTOR FRAZIER: Prayer offered.

SPEAKER MARVEL: Roll call. Please record your presence. Will you please record your presence? Senator Cope and Senator Warner, would you please record your presence? Record.

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

SPEAKER MARVEL: Do you have anything to read into the record?

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 69 and find the same correctly engrossed; 192, 198, 231, 239, 263, 370, 431, 448, 449, 511 and 592 all correctly engrossed. (See pages 540 through 544 of the Legislative Journal).

Mr. President, LBs 32, 229, 264, 309, 347, 403, 418, 423, 490, 492, 542, 563, 564, 565, 566, and 572 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 engrossed LB 32, engrossed LB 229, engrossed LB 264, engrossed LB 309, engrossed LB 347, engrossed LB 403, engrossed LB 418, engrossed LB 423, engrossed LB 490, engrossed LB 492, engrossed LB 542, engrossed LB 563, engrossed LB 564, engrossed LB 565, engrossed LB 566, engrossed LB 572. We are down to item #4, motions, and the first motion concerns LB 270.

CLERK: Mr. President, LB 270 was last considered by the Legislature January 27th. At that time Senator Barrett offered a motion to indefinitely postpone the bill. That motion prevailed. Subsequent to that action, Senator Cullan offered a motion to reconsider the body's action to indefinitely postpone LB 270. That motion is found on page 450.

SPEAKER MARVEL: The Chair recognizes Senator Cullan.

SENATOR CULLAN: Mr. President and members of the Legislature,

February 10, 1982

LB 264, 309, 347, 403, 418, 542  
563-66, 572, 579, 642, 659, 677  
703, 705, 718, 719, 722, 724,  
764, 774, 778, 779, 797, 852,  
879, 606, 32, 229, 490, 492

SPEAKER MARVEL PRESIDING

RABBI BISMAN: Prayer offered.

SPEAKER MARVEL: Item #2, roll call. Please record your presence. Record your presence. Pat, do you want to record.

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

SPEAKER MARVEL: Do you have anything under #3?

CLERK: Mr. President, I have several items. First of all I have a reference report referring LR 218 to the Banking Committee for public hearing.

Mr. President, a communication from the Governor addressed to the Clerk. (Read communication re: 264, 309, 347, 403, 418, 563, 564, 565, 566 and 572 as found on page 613 of the Legislative Journal.)

A second communication. (Read re. LB 542.) And a third, Mr. President, from the Governor addressed to the Clerk. (Read re. 32, 229, 490 and 492. See pages 613-614 of the Legislative Journal.)

Mr. President, your committee on Education whose chairman is Senator Koch reports LB 642 advanced to General File; LB 774 advanced to General File; LB 797 advanced to General File with amendments. Those are signed by Senator Koch.

Your committee on Public Works whose chairman is Senator Kremer offers a corrected statement to LB 852. (See pages 614-615 of the Legislative Journal.)

Mr. President, your committee on Government, Military and Veterans Affairs whose chairman is Senator Kahle reports LB 879 advance to General File with committee amendments attached. That is signed by Senator Kahle. (See page 615 of the Legislative Journal.)

Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined and reviewed LB 606 and recommend that same be placed on Select File; 579 Select File; 703 Select File with amendments; 705 Select File; 718 Select File; 719 Select File; 724 Select File; 677 Select File; 722 Select File with amendments; 659 Select File; 764 Select File with amendments and 778 Select File with amendments and 779 Select File with amendments, all signed by Senator Kilgarin as Chair. (See pages 615-616 of the Legislative Journal.)