

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.

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 25, 1981

LB 246

to E & R for Review. All those in favor vote aye, opposed no. Record.

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

SPEAKER MARVEL: The motion is carried. The bill is advanced. The next bill, LB 246.

CLERK: Mr. President, LB 246 was offered by Senator Howard Lamb. (Read title.) The bill was read on January 16. It was referred to Public Works for hearing. It was advanced to General File. There are committee amendments pending by the Public Works Committee, Mr. President.

SPEAKER MARVEL: Senator Kremer.

SENATOR KREMER: Mr. Speaker and members of the Legislature, the committee adopted three really minor amendments to LB 246, and I will try to explain them. Number one, it exempts a public power supplier, that's public, which has obtained a permit from paying an additional fee when its wells are registered, and they must be registered. It does away with the duplication of an assessment of a fee. Number two, it clarifies that the requirement that replacement wells be...that wells... abandoned wells must be registered only when the abandoned well has a registered well or one required to be registered. It clarifies that. Then, number three, it emphasizes that the statute requiring over a thousand feet between certain types of wells applies to registered wells, that is that unregistered wells are not entitled to this protection. This is currently in the statutes, but the committee amended the bill to the extent that it would reinforce this provision. That is the explanation of the three amendments. They are really minor in nature and yet rather important, and I do move for the adoption of the committee amendments to LB 246.

SPEAKER MARVEL: The motion is the adoption of the committee amendments to LB 246. All those in favor vote aye, opposed no. Record.

CLERK: 29 ayes, 0 nays on adoption of the committee amendments.

SPEAKER MARVEL: The motion is carried. The committee amendments are adopted. Now, Senator Lamb.

SENATOR LAMB: Mr. Speaker and members of the Legislature,

this is a very simple bill. It plugs the data gap. This requires that municipalities register their wells. As you know, irrigation wells have had the requirement that they be registered for some time. It has been indicated that it would be helpful in knowing more about the total water situation if municipalities were also required to register their wells. As Senator Kremer indicated, they do currently pay a fee so that the fee part of it is not changed, merely would require the registration so that somebody knows where they are. I move advancement of the bill.

SPEAKER MARVEL: Senator Kahle, do you wish to speak on 246?

SENATOR KAHLE: Mr. Speaker and members, a question of Senator Lamb, perhaps. I think I found it in the bill but they would still have the same distance stipulation that the farmer has, 600 feet I believe, or 660 feet from an existing well?

SENATOR LAMB: No change in the existing statute. I am not sure whether it is 660. I thought in the case of munies it might be a 1000. But whatever the statute is at the present it is not changed. We are only trying to get the wells registered so the Conservation Survey Division, Department of Water Resources and other entities have that information.

SENATOR KAHLE: Okay, so whatever the distance might be, or is, then the statute would be the same for the city as it would be for the farmer?

SENATOR LAMB: No, it would be the same as what it is now. I am not sure if it is the same, it's not changed is the only thing I am saying.

SENATOR KAHLE: Okay, thank you.

SPEAKER MARVEL: The motion is to advance the bill. All those in favor vote aye, opposed vote no. Record the vote.

CLERK: 30 ayes, 0 nays on the motion to advance the bill, Mr. President.

SPEAKER MARVEL: The motion is carried. The bill is advanced. The next bill is 325.

CLERK: Mr. President, LB 325 was introduced by the

February 27, 1981

LB 34, 58, 114, 125, 144,
195, 205, 246, 272, 273,
273A, 325, 355, 359, 388,
409, 491, 546

the motion is the suspension of the rules to introduce a bill as explained by Senator Newell. All those in favor of suspending the rules vote aye, opposed vote no. Record the vote, Mr. Clerk.

CLERK: 30 ayes, 11 nays to suspend the rules and offer introduction, Mr. President.

SPEAKER MARVEL: The motion is adopted.

CLERK: Mr. President, a new bill, LB 546. (Title read.) While we are waiting, your committee on Urban Affairs whose Chairman is Senator Landis to whom we referred LB 58 reports the same back to the Legislature to General File with amendments; 359 General File with amendments; 491 General File with amendments. (Signed) Senator Landis.

Senator DeCamp would like to print amendments to LB 34 in the Journal.

Mr. President, your committee on Enrollment & Review respectfully reports they have carefully examined and reviewed LB 205 and recommend that same be placed on Select File with amendments; 409 Select File with amendments; 195 Select File; 272 Select File; 273 Select File with amendments; 273A Select File; 355 Select File with amendments; 114 Select File; 246 Select File, 325 Select File, 388 Select File with amendments. (Signed) Senator Kilgarin, Chair.

SPEAKER MARVEL: May I have your attention to discuss item #6 and item #6 has to do with the continuation of the discussion on LB 125. There is a request that the bill be laid over until Monday. I have contacted two of the introducers. They are amenable to laying it over until Monday. If we do this, I think we must do it with the understanding that we are not establishing a precedent. But anyway, is there objection to laying over 125 until Monday? Senator Higgins.

SENATOR HIGGINS: Mr. President, who requested that we lay it over?

SPEAKER MARVEL: Senator Haberman.

SENATOR HIGGINS: Thank you.

SPEAKER MARVEL: Any other discussion? Okay, the bill will be laid over until Monday. We now move to General File, LB 144, Mr. Clerk.

March 4, 1981

LB 114, 246, 325, 388

Mr. President, I have a Reference Report referring LB 546 and 547 from the Reference Committee. Mr. President, I have a Reference Report from the Reference Committee referring certain gubernatorial appointments to the Education Committee. (Page 742 of the Journal.)

SPEAKER MARVEL: Unless there is objection, we will pass over 355 temporarily on Select File and proceed with LB 114.

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

SPEAKER MARVEL: Senator Kilgarin.

SENATOR KILGARIN: I move that LB 114 be advanced to E & R for Engrossment.

SPEAKER MARVEL: Those in favor of the motion say aye. Opposed no. The motion is carried. The bill is advanced. LB 246.

CLERK: I have nothing on the bill, Senator.

SPEAKER MARVEL: Senator Kilgarin.

SENATOR KILGARIN: I move LB 246 be advanced to E & R for Engrossment.

SPEAKER MARVEL: All in favor of that motion say aye. Opposed no. The motion carried. The bill is advanced. 325.

CLERK: I have nothing on the bill, Senator.

SENATOR KILGARIN: I move LB 325 be advanced to E & R for Engrossment.

SPEAKER MARVEL: All in favor of that motion say aye. Opposed no. The motion carried. The bill is advanced. 388.

CLERK: There are E & R, Senator.

SENATOR KILGARIN: I move the E & R amendments to LB 388.

SPEAKER MARVEL: All in favor of that motion say aye. Opposed no. The motion carried. The E & R amendment's adopted.

SENATOR KILGARIN: I move LB 388 be advanced to E & R for Engrossment.

March 9, 1981

LB 55, 114, 128, 190, 198, 217, 246,
271, 279, 297, 327, 388, 434, 462,
407, 258

fellows walk around lobbying for this bill. They say, we hear you are against our bill, Rex, we are going to...we have some lobbyists working against you. They are sure are. They have been working their heads off this morning. I don't mind standing up here all alone, I have done it before, but I would like to have you fellows stop and think, we are only raising it from 6 to 8. They had a profit, a net profit of forty million in 1979. Thirty percent crosses the state. So I will ask for you to think down the road, raise it the two percent and then we will go from there. Thank you.

SPEAKER MARVEL: Motion is the Haberman amendment to legislative bill 190. All those in favor vote Aye, opposed vote No. Have you all voted? O.K. Record the vote.

CLERK: Eight Ayes. Fifteen Nays, Mr. President.

SPEAKER MARVEL: O.K. The motion lost. Now do you have some items to read in?

CLERK: Yes, sir.

SPEAKER MARVEL: While you are bringing them up, the Chairmen of the various committees have received a note this morning that we will meet tomorrow at 8:30a.m. in Room 2102. We need to start talking about priorities. If you will look at the sheet, you will find that this is the 39th day. Okay.

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 55 and find the same correctly engrossed; 114, 128, 217, 246, 279, 388, 434, 462, all correctly engrossed.

Mr. President, your Committee on Government reports LB 407 to General File. (Signed) Senator Kahle). LB 297 indefinitely postponed. Your Banking Committee whose Chairman is Senator DeCamp reports LB 271 to General File with amendments. (Signed) Senator DeCamp. (See page 809 of the Legislative Journal.) Miscellaneous Subjects Committee whose Chairman is Senator Hefner reports LB 258 to General File with amendments. (See pages 809 and 810 of the Legislative Journal.) (Signed) Senator Hefner. Your Banking Committee reports 327 to General File with amendments. (See page 810 of the Legislative Journal.)

Finally, Mr. President, Senator Warner would like to print amendments to LB 198 in the Legislative Journal. (See pages 810 through 815 of the Legislative Journal.)

SPEAKER MARVEL: Senator Peterson, will you adjourn us until 9:00 o'clock tomorrow morning. Howard Peterson.

March 12, 1981

LB 217, 246, 279, 388

ASSISTANT CLERK: (Read the record vote as found on pages 878 and 879 of the Legislative Journal.) The vote is 27 ayes, 20 nays, 2 excused and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. The Clerk will now read on Final Reading LB 246.

ASSISTANT CLERK: (Read LB 246 on Final Reading.)

SPEAKER MARVEL: All provisions of law subject 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? Record the vote.

ASSISTANT CLERK: (Read the record vote as found on page 879 of the Legislative Journal.) The vote is 47 ayes, 0 nays, 2 excused and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. The Clerk will now read on Final Reading LB 246. LB 279, sorry.

ASSISTANT CLERK: (Read LB 279 on Final Reading.)

SPEAKER MARVEL: All provisions of law subject to procedure having been complied with, the question is, shall the bill pass? Those in favor vote aye, opposed vote no. LB 279 on Final Reading. Announce the vote.

ASSISTANT CLERK: (Read the record vote as found on page 880 of the Legislative Journal.) The vote is 47 ayes, 0 nays, 2 excused and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. We now go to LB 388.

ASSISTANT CLERK: (Read LB 388 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. Record the vote.

ASSISTANT CLERK: (Read the record vote as found on page 881 of the Legislative Journal.) The vote is 47 ayes, 0 nays, 2 excused and not voting, Mr. President.

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

March 13, 1981

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by Reverend Larry Spader, Central Alliance Church.

REVEREND SPADER: Prayer offered.

PRESIDENT: Roll call. While we are waiting to get everyone checked in this morning we will take this opportunity to introduce from Senator Wesely's district some 9 students from Riley Elementary School here in Lincoln, Mrs. Barth and Mrs. Frogge, teachers. They are up here in the North balcony. Would you welcome Riley Elementary School up here in the North balcony. Welcome to your Legislature. Record the presence.

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

PRESIDENT: A 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 committee on Enrollment and Review respectfully reports we have carefully examined LB 56 and recommend that same be placed on Select File with amendments; 313 Select File; 84 Select File; 47 Select File with amendments, (Signed) Senator Kilgarin, Chair.

Mr. President, engrossed LBs 55, 114, 128, 217, 246, 279, 388, 434, 462 and LR 33 and 34 are ready for your signatures.

PRESIDENT: While the Legislature is in session and capable of doing business I propose to sign and I do sign LB 55, LB 114, 128, 217, 279, 388, 434, 462, LR 33 and LR 34. We will proceed then with Final Reading. The Sergeant at Arms will secure the floor. All members of the Legislature will please return to your desks and as soon as everyone is at your place we will commence with Final Reading. All unauthorized personnel, non-legislative personnel will leave the floor of the Legislature. We are on Final Reading. We are awaiting Final Reading then. All legislators will be at their desks. We will commence with Final Reading.

CLERK: Mr. President, while we are waiting...

PRESIDENT: Go ahead, Mr. Clerk.

March 17, 1981

LR 21, 30
LB 24, 38, 51, 55, 83, 114, 128,
136, 150, 154, 195, 217, 246, 250,
272, 275, 279, 288, 302, 325, 354,
388, 409, 434, 444, 457, 462, 515

SPEAKER MARVEL PRESIDING

REVEREND RON WASIKOWSKI: (Prayer offered. Microphone not on. See page 951, Legislative Journal.)

SPEAKER MARVEL: Record your presence. Record.

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

SPEAKER MARVEL: Did you have any other items?

CLERK: Yes, sir, I do. Mr. President, first of all, the Journal is without error this morning.

Mr. President, a communication from the Governor addressed to the Clerk. (Read. Re: LBs 55, 83, 114, 128, 136, 150, 154, 195, 217, 246, 272, 275, 279, 288, 325, 354, 388, 409, 434, 457, 462, 24, 38, and 51. See pages 951 and 952, Legislative Journal.)

Mr. President, I have a series of Attorney General opinions. One to Senator DeCamp regarding the Executive Board and the powers thereof; one to Senator DeCamp regarding payment of salary; one to Senator Nichol regarding LB 515.

Mr. President, your committee on Government, Military and Veterans Affairs whose Chairman is Senator Kahle reports LB 250 to General File with amendments; LB 444 to General File with amendments. Signed Senator Kahle as Chair.

Your committee on Public Works whose Chairman is Senator Kremer reports LB 302 to General File with amendments and Public Works reports LR 21 back to the Legislature with amendments. Signed by Senator Kremer as Chair.

SPEAKER MARVEL: From Senator Barrett's District in the North balcony it is my privilege to introduce 19 senior high students from St. Ann's Catholic School, Lexington, Nebraska. Mr. Roger Lucas, Government teacher; Dr. Phillip Vreeland, English teacher. Will you hold up your hand so we can see where you are and greet you? Okay, we will go to item #4.

CLERK: Mr. President, the first resolution is offered by Senator Dworak. It is LR 28. It is found on page 737 of the Journal.

Mr. President, while Senator Dworak is missing, LR 30 by Senator Vickers. It is found on page 787. (Read.) That resolution, Mr. President, is found on page 787 of the Journal.