

April 16, 1981

LB 248A, 284

Mr. President, new A bill, LB 248A, offered by Senator Fowler. (Read title to LB 248A for the first time.)

Mr. President, Senator Newell would like to print amendments to LB 284. (See pages 1522 through 1524 of the Legislative Journal.)

Mr. President, finally, Senator Maresh would like to ask unanimous consent to add his name to LB 118 as co-introducer.

SPEAKER MARVEL: No objection, so ordered.

CLERK: That is all that I have, Mr. President.

SPEAKER MARVEL: Senator Kahle, do you want to adjourn us until Thursday at nine o'clock, April 23rd.

SENATOR KAHLE: Mr. Speaker and members, I move that we adjourn until 9:30 Thursday morning, April the 23rd.

SPEAKER MARVEL: 9:00 a.m.

SENATOR KAHLE: Nine o'clock?

SPEAKER MARVEL: Yes.

SENATOR KAHLE: Okay.

SPEAKER MARVEL: How many groans? Okay, the motion is to adjourn until Thursday, 9:00 a.m. All in favor of that motion say aye. Opposed no. The motion is carried. We are adjourned.

Edited by LaVera M. Benischek
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April 24, 1981

LB 3, 134, 248A, 327,
328A, 394, 470

SPEAKER MARVEL: Motion carried. The bill is advanced.
Any other items?

CLERK: Yes, Mr. President, if I may, I have Reference Report referring gubernatorial appointments to the Ag and Environment Committee for hearing. (See page 1574 of the Legislative Journal.)

Senator Schmit would like to print amendments to LB 327. (See pages 1574 and 1575 of the Legislative Journal.)
Senator Schmit to LB 328A. (See page 1575 of the Journal.)
Senator Fenger to LB 134. (See page 1575 of the Journal.)
And Senator Carsten to LB 3. (See page 1575 of the Journal.)

SPEAKER MARVEL: We have got two items we are going to take up before we adjourn, and one is LB 248A. Senator Fowler.

CLERK: Mr. President, LB 248A was offered by Senator Fowler. (Read title.)

SENATOR FOWLER: This is the appropriation bill that accompanies Senator Wiitala's retirement bill. I introduced it as Chairman of the Retirement Committee. It was based on the actuarial report and the actuarial assumptions on the fiscal impact of that bill. I would move it be advanced.

SPEAKER MARVEL: The motion is to advance the bill. All those in favor of that motion....all in favor of that motion vote aye, opposed vote no. 248A. It is the second item under General File. Have you all voted? Record the vote.

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

SPEAKER MARVEL: Okay, the motion is carried, the bill...(Mike off). Item 470. LB 470.

CLERK: Yes, sir. Mr. President, LB 470 was introduced by the Business and Labor Committee and signed by its members. (Read title.) The bill was first read on January 20, referred to Business and Labor for public hearing. The bill was advanced to General File. There are committee amendments pending, Mr. President.

SPEAKER MARVEL: Senator Mares.

SENATOR MARESH: Mr. Speaker and members of the Legislature, this bill puts Nebraska in conformity with national

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LB 248, 248A, 463

the educational system of the State of Nebraska, students of the State of Nebraska could qualify earlier with the amendment. It simply takes care of those people who are working now. It is not retroactive. It does not go back and pick up teachers who are now retired from their various systems. It picks up those who are now teaching but plan to retire at the end of this particular school year. I would urge your support for the amendment. Thank you.

SENATOR CLARK: Senator Koch, did you want to speak on the Barrett amendment? All those in favor of the Barrett amendment vote aye, those opposed vote nay.

ASSISTANT CLERK: Senator Clark voting aye.

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

ASSISTANT CLERK: 28 ayes, 0 nays.

SENATOR CLARK: The Barrett amendment is adopted. Do you have anything further on the bill?

ASSISTANT CLERK: There is nothing further on the bill, Mr. President.

SENATOR CLARK: Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 248.

SENATOR CLARK: The motion is to advance 248. All those in favor say aye, opposed nay. The bill is advanced. LB 248A.

CLERK: Mr. President, I have nothing on 248A.

SENATOR CLARK: Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 248A.

SENATOR CLARK: The motion is to advance LB 248A. All those in favor say aye, all those opposed nay. The bill is advanced. LB 463.

CLERK: Mr. President, there are E & R amendments to LB 463.

SENATOR CLARK: Senator Kilgarin.

SENATOR KILGARIN: I move we adopt the E & R amendment to 463.

SENATOR CLARK: The motion is the adoption of E & R amendments

May 8, 1981

LR 134 - 139
LB 248, 248A, 346

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by the Reverend Forrest Morningstar, Chaplain-Administrator at Eastmont Towers here in Lincoln.

REVEREND MORNINGSTAR: (Prayer offered.)

PRESIDENT: Roll call. Record the presence, Mr. Clerk.

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

PRESIDENT: A quorum being present, are there any corrections to the Journal.

CLERK: (Read corrections as found on page 1842, Legislative Journal.)

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

CLERK: Yes, sir. Mr. President, I have a report of registered lobbyists for May 1 through May 7. That will be inserted in the Journal. (See pages 1842 and 1843.)

Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 346 and find the same correctly engrossed; 248 and 248A, both correctly engrossed. Those are signed by Senator Kilgarin as Chair, Mr. President.

Mr. President, study resolutions, LR 134 offered by the Judiciary Committee. The purpose of the study is to co-ordinate efforts being made by the Judiciary Committee and various Nebraska Bar Association and Supreme Court Drafting Committees with regard to problem areas in our law governing civil procedure. LR 135 offered by Senator Koch on behalf of the Education Committee. The purpose of this resolution is to study employment contracts made between school districts and teachers or administrators. LR 136 by Senator Koch on behalf of the committee. The purpose is to study child care programs as outlined in LB 520. LR 137 offered by Senator Koch on behalf of the committee. The purpose of the study is to consider issues regarding school tax equity as shown in LBs 210 and 319. LR 138 by Senator Koch on behalf of the committee. The purpose of the study is to consider the effects of federal budget reductions upon the financing of education in Nebraska. LR 139 by Senator Koch on behalf of the committee. The purpose of the resolution is to study the development of a systematic method for promoting professional growth of public school teachers and the enactment of

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LB 334A, 463, 248, 248A

pass with the emergency clause attached? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Record vote read. See page 1992, Legislative Journal.) 42 ayes, 0 nays, 3 excused and not voting, 4 present and not voting, Mr. President.

PRESIDENT: Motion carries. LB 334A is passed with the emergency clause attached. The next bill on Final Reading, Mr. Clerk, is LB 463.

CLERK: (Read LB 463 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 463 pass? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Record vote read. See page 1993, Legislative Journal.) 42 ayes, 1 nay, 3 excused and not voting, 3 present and not voting, Mr. President.

PRESIDENT: LB 463 passes. The next bill on Final Reading is LB 248, Mr. Clerk.

CLERK: (Read LB 248 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 248 pass with the emergency clause attached? Record the vote.

CLERK: (Record vote read. See page 1994, Legislative Journal.) 41 ayes, 2 nays, 3 excused and not voting, 3 present and not voting, Mr. President.

PRESIDENT: LB 248 passes with the emergency clause attached. The next bill on Final Reading is LB 248A.

CLERK: (Read LB 248A on Final Reading.)

PRESIDENT: All provisions relative to procedure having been complied with, the question is, shall LB 248A pass with the emergency clause attached? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Record vote read. See pages 1994 and 1995, Legislative Journal.) 40 ayes, 2 nays, 3 excused and not voting, 5 present and not voting, Mr. President.

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LB 248A, 346

PRESIDENT: LB 248A passes with the emergency clause attached. Before we go to the last bill on Final Reading, the Chair would like to introduce some guests of Senator Chronister, 47 students ninth grade, junior-senior high from West Point, Nebraska, Mrs. Lynn Sill, teacher. They are up here in the North balcony. Would the West Pointers wave to us to show us where they are up here? Welcome to your Legislature. We will now read the final bill on Final Reading for today, LB 346, Mr. Clerk.

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

PRESIDENT: Read the motion.

CLERK: Senator Nichol moves to return LB 346 to Select File for specific amendment.

PRESIDENT: The Chair recognizes Senator Nichol.

SENATOR NICHOL: Mr. Chairman, the other day you will recall that Senator Schmit and Senator Vickers had a concern about furnishing attorneys for juveniles who were in trouble with the law and some of them have a problem with just ordinary juvenile delinquencies while others are involved in the parental rights and the severance of parental rights. And in such cases, of course, it has been the function of the courts to provide attorneys for parents when they cannot afford to do so when the parental rights are in jeopardy. So what this amendment does is say that in cases other than parental rights, attorneys will not be provided for the parents, which of course should not be necessary. It was my opinion that we could put it on next year since the bill does not go into effect until the middle of 1982. However, Senator Schmit and Senator Vickers would like it on now. If the body would like to bring it back for that, why it is acceptable to us, of course, and don't have any problem with it, and as I understand, we could put it on and still get it to Final Reading this year. I move for the return of the bill.

PRESIDENT: Any further discussion? Senator Nichol, I guess that is your opening and your closing. The question then is the return of LB 346 for the specific Nichol amendment. All those in favor vote aye, opposed nay. Record the vote.

CLERK: 29 ayes, 2 nays, Mr. President, on the adoption of the amendment.

PRESIDENT: Motion carries. LB 346 is returned. Senator Nichol, do you wish to move to adopt your amendment?

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LB 248A, 318, 334, 334A,
LB 184, 118, 129, 190, 248,
LB 463, 487

at Arms will secure the Chamber. All members who are not at their desks will return to their desks. All members will record your presence. The House is under Call. The House is under Call. Senator Goodrich, Senator Wagner. Senator Haberman is right here. Senator Labedz, Senator Pirsch. We can take call in votes, Mr. Clerk, yes.

CLERK: Senator Fowler voting yes. Senator Kremer voting yes. Senator Marsh voting no. Senator Wagner voting no. Senator Labedz voting yes.

PRESIDENT: All right, record the vote.

CLERK: 25 ayes, 14 nays, Mr. President, on the motion to advance the bill.

PRESIDENT: All right. The motion carries and LB 184 is advanced to E & R Initial. You want to read some material in, go ahead, Mr. Clerk.

CLERK: Mr. President, Senator Schmit would like to print amendments to LB 487 in the Journal.

Mr. President, LBS 190, 334, 334A, 463, 248 and 248A are 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 190, LB 334, LB 334A, LB 463, LB 248 and LB 248A.

CLERK: Mr. President, an announcement from the Public Works Committee regarding an executive session to discuss interim study resolutions.

Your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 129 and recommend that same be placed on Select File with amendments; LB 118 Select File; and LB 318 Select File with amendments; all signed by Senator Kilgarin as Chair.

May 18, 1981

LB 3, 234, 248, 248A,
366, 427, 427A, 561

eight o'clock which means you can come in at eight o'clock and not make too much noise and there will be a general turn-over and it won't really affect anybody too much.

CLERK: Mr. President, a communication from the Governor addressed to the Clerk. (Read. Re: LBs 3, 248, 248A, 366, 427, and 427A. See page 2077, Legislative Journal.)

Mr. President, Senator DeCamp would like to print amendments to LB 234 in the Legislative Journal.

SENATOR CLARK PRESIDING

SENATOR CLARK: I would like to announce Senator Remmer's guests, Merle Prior from Falls City, Gladys Koeppel from Auburn and Muriel Scott of Auburn. They are under the South balcony. Would you stand and be recognized? Senator Dworak has 26 fourth grade students from Highland Park, Columbus with two adults. Mr. Dennis Smith and Dale Brinkman are the teachers. They are in the North balcony. Will you raise your hands and be recognized please? Also Al Boettcher from Fairbury and Stephen Songster from Exeter, Mr. and Mrs. Boettcher are from Senator Burrows' District. He was the Speaker of the Silver-haired Legislature. Stephen Songster is from Senator Maresh's Office and he was a member of the Silver-haired Legislature also. I don't know where they are but will you stand and be recognized please? Welcome to the Legislature, all of you. The first motion under #5.

CLERK: Mr. President, Senators Dworak, Fowler, Stoney, Lowell Johnson, Cope and Marsh, pursuant to Rule 6, Section 4 move to override the Governor's line-item veto of the Department of Public Institutions, Program No. 424 - State Aid - Community Mental Retardation, including the final budget for each mental retardation region shown in Section 11 on pages 10 and 11 of the bill. (LB 561.)

SENATOR CLARK: Senator Dworak.

SENATOR DWORAK: Mr. President, colleagues, I find myself in a role this afternoon I am not too often in and that is advocating a veto override. I might mention the reason I am speaking instead of Senator Warner is that the Appropriations Committee was split on action or on the Governor's vetoes and Senator Warner voted in the minority. I might also suggest that I think many of those minority votes were not necessarily on the specific issues but rather in just a general philosophical approach to sustaining the Governor all the way across the board. My personal opinion is this seven hundred and seventy some thousand dollars that five