

January 16, 1981

LB 95, 247-283

Mr. President, Senator Schmit would like to have a meeting of the Ag Committee underneath the North balcony now if he could, and it is Ag Committee underneath the North balcony with Senator Schmit, immediately if possible.

PRESIDENT: The Legislature will be at ease until Speaker Marvel determines that we will go back.

EASE

PRESIDENT: The Legislature will come to order just for the purpose of the Clerk reading some matters into the record. Mr. Clerk, you may proceed.

CLERK: Mr. President, Senator Clark would like to announce that Senator Goodrich has been selected as vice chairman of the Telecommunications Committee.

Mr. President, new bills. Read LB 247-265 by title as found on pages 205-209 of the Legislative Journal.

Mr. President, your committee on Appropriations gives notice of agency hearings for Monday, January 26, signed by Senator Warner as chairman.

PRESIDENT: The Legislature will continue to stand at ease until approximately 11:15 a.m.

CLERK: Meet in Room 1517 at eleven o'clock? The Executive Board in Room 1517 at eleven o'clock.

PRESIDENT: The Legislature will come back to order. The Clerk has some matters to read in.

CLERK: Mr. President, I have a reference report referring LB 172-205 and rereferring LB 95. (See page 213 of the Legislative Journal.)

Mr. President, I have new bills. (Read by title, LB 266-283 as found on pages 214-218 of the Legislative Journal.) Mr. President, that is all the matters that I have this morning.

PRESIDENT: Any other messages on the desk, Mr. Clerk?

CLERK: No, sir, I have nothing further.

PRESIDENT: In that case the Chair will recognize Speaker Marvel.

SPEAKER MARVEL: I move we adjourn until Monday, January 19, 1981, at 10:00 a.m.

February 12, 1981

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Monsignor Charles J. Keenan of the Blessed Sacrament Parish, Lincoln, Nebraska.

MONSIGNOR KEENAN: Prayer offered.

SPEAKER MARVEL: Roll call. Will you please record your presence. Have you all recorded your presence? Record the vote.

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

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

CLERK: Yes, sir, I do. Mr. President, your committee on Enrollment and Review respectfully reports that we have carefully examined and reviewed LB 336 and recommend that same be placed on Select File with amendments; 336A Select File; 33 Select File; 96 Select File; 31 Select File, 214 Select File, 120 Select File and 85 Select File with amendments, (Signed) Senator Kilgarin, Chair. (See pages 512-513 of the Legislative Journal.)

Mr. President, your committee on Banking, Commerce and Insurance whose chairman is Senator DeCamp to whom is referred LB 195 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendments; 272 General File with amendments; 273 General File with amendments and 355 General File with amendments, (Signed) Senator DeCamp, Chair. (See pages 512-514 of the Legislative Journal.)

Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined and engrossed LB 14 and find the same correctly engrossed; 18, 41, 51, 64, 65 and 121 all correctly engrossed.

And finally, Mr. President, I have a lobby registration report covering the week of February 6 through February 11, 1981. (See page 515 of the Journal.)

SPEAKER MARVEL: Okay, we will go to item #4, introduction of new bills.

CLERK: Mr. President, Senator Nichol moves to suspend Rule 5, Section 5 so as to permit the introduction of Request 889 by himself.

SPEAKER MARVEL: Senator Nichol.

as well as the company itself, and as indicated the rule of thumb in the past on the quality of investment has been a quantitative type of thing of a minimum of \$1 of capital and surplus for every \$2 of annual premiums. You will find some companies less than that, but you have to meet at least that criteria before it would come into play and with that kind of strength back of the company in any event all we are doing is strengthen it even further and I would move that the bill be advanced. I can answer questions in depth if anyone wishes.

SPEAKER MARVEL: The motion is the advancement of 195 to E & R for Review. All those in favor vote aye, opposed vote no. Record.

CLERK: 25 ayes, 0 nays on the motion to advance the bill, Mr. President.

SPEAKER MARVEL: The motion is carried. The bill is advanced to E & R for Review. Underneath the south balcony it is my privilege to introduce a guest of Senator Koch, Mr. Ira Blalock who is a member of the Oregon Parole Board. Will you please stand so we may recognize you? Yes, sir. Welcome. In the north balcony from Senator Chronister's District guests from the Zion Lutheran Church at Leigh, Nebraska, nine members. The teacher, Gerald Kurka. That's in the north balcony. Will you raise your hand so we may see where you are? Welcome. Next, LB 272.

CLERK: Mr. President, LB 272 was introduced by the Banking Committee and signed by its members. (Read title.) The bill was read on January 16 of this year. It was referred to the Banking Committee for public hearing. It was advanced to General File. There are committee amendments, Mr. President.

SPEAKER MARVEL: Senator DeCamp.

SENATOR DeCAMP: Mr. President, members of the Legislature, you have all heard of a limited partnership. The limited partnership laws were basically adopted back in about 1916. This year what we are doing with this is essentially rewriting the entire limited partnership law in accord with what has been developed, the old story, national models, modern experience, modern business practices, so on and so forth. The committee amendments make some technical changes. Those specific technical changes are, a \$10 fee for all filings, and that existing

February 25, 1981

LB 272, 273

limited partnerships have until January 1, 1983, to file certificates of limited partnership and that such partnerships are governed by the act, in other words, existing ones, and that for correction of some typographical errors. Those are what the amendments do. As I say, the bill itself is a rewrite of the limited partnership laws and I would urge you to adopt the committee amendments that make those technical corrections, and if you want, then we can discuss limited partnerships further.

SPEAKER MARVEL: The motion is the adoption of the committee amendments. All those in favor of that motion vote aye. Opposed vote no. Have you all voted? Record.

CLERK: 26 ayes, 0 nays, Mr. President, on adoption of the committee amendments.

SPEAKER MARVEL: Do you want to advance the bill now?

SENATOR DeCAMP: (Microphone not on).....that the bill be advanced. I repeat, Mr. President, it is a fairly lengthy bill as you can see. It is a rewrite of the limited partnership laws. At the hearing, the proponents were the people who were involved in drafting it, quite frankly. I think it was the Professor from Creighton Law School, and, of course, our committee people who worked on it. Senator Landis was involved in it pretty deeply and myself, Ron Sedlacek. The best evidence that I can give you that it isn't a controversial bill in terms of changing any major rights is that it did have no opposition in terms of major simplifying the procedures, making the limited partnership a better vehicle that can be more effectively used, for example, for preserving family farms, things like that, it is a very effective bill, and... that's enough.

SPEAKER MARVEL: The motion is to advance 272 to E & R for Review. All those in favor vote aye. Opposed vote no. Record.

CLERK: 28 ayes, 0 nays on advancement of the bill, Mr. President.

SPEAKER MARVEL: The motion is carried. The bill is advanced. The next bill is 273.

CLERK: LB 273 was introduced by the Banking Committee and signed by its members. (Read title.) The bill was read on January 16, referred to the Banking Committee. It was advanced to General File. There are committee amendments pending, Mr. President.

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 3, 1981

LB 195, 272, 273, 273A

SENATOR WARNER: I'm sure it's...this would I am sure is the bill that several small insurance companies are concerned about and that deals with the licensing of insurance agents,

SENATOR KAHLE: I believe that is correct, so....

SENATOR WARNER: I would be glad to explain this bill again but I don't think this one is the one that....

SENATOR KAHLE: Well we slide things by pretty fast when we get going here and I want to make sure that I wasn't slipping one by here, one wasn't being slipped by me and I understand it now. Thank you.

SENATOR WARNER: I understand.

SPEAKER MARVEL: The motion is the advancement of the bill, 195 to E & R for engrossment. All those in favor of that motion ... Senator Warner, do you want to move the bill? The motion is to advance the bill to E & R for engrossment. All those in favor say aye, opposed no. The motion is carried. The bill is advanced. The next bill is 272.

CLERK: I have nothing on the bill, Senator.

SPEAKER MARVEL: Senator Kilgarin.

SENATOR KILGARIN: I move LB 272 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 273.

CLERK: There are E & R amendments, Senator.

SENATOR KILGARIN: I move the E & R amendments to LB 273.

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

CLERK: Nothing further on the bill, Senator.

SENATOR KILGARIN: I move LB 273 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. 273A.

LB 9, 34, 51, 78, 91, 124,  
125, 133, 150, 178, 195,  
205, 223, 272, 273, 273A  
277, 317, 320, 321, 345  
363, 376, 409, 439, 459

March 6, 1981

PRESIDENT LUEDTKE PRESIDING

REVEREND GERALD LUNDBY: (Prayer offered.)

PRESIDENT: Senator Higgins, do you want to put your light on and then we will make sure we have got enough. Thank you. Record the presence, Mr. Clerk.

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

PRESIDENT: A quorum being present, is there any corrections to the Journal?

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

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

CLERK: Yes, sir, I do. Mr. President, first of all, your committee on Education whose Chairman is Senator Koch to whom was referred LB 78 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendments; LB 317 General File with amendments; 320 General File with amendments; 321 General File with amendments; 91 Indefinitely postponed; 223 Indefinitely postponed; 363 Indefinitely postponed; 439 Indefinitely postponed. (Signed) Senator Koch, Chair.

Mr. President, your committee on Banking, Commerce and Insurance whose Chairman is Senator DeCamp to whom was referred LB 376 reports LB 376 to General File with amendments; LB 133 Indefinitely postponed; and 277 Indefinitely postponed. (Signed) Senator DeCamp, Chair.

Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined LB 51 and find the same correctly engrossed; LB 125 correctly engrossed; 150 correctly engrossed; 195 correctly engrossed; 205 correctly engrossed; 272 correctly engrossed; 273 correctly engrossed; 273A correctly engrossed; 409 correctly engrossed; and 459 correctly engrossed. (Signed) Senator Kilgarin, Chair.

Mr. President, LB 9, 34, 124, 178 and 345 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 9, LB 34, LB 124, LB 178, and LB 345.

March 11, 1981

LB 205, 272

We are talking about four individuals and it specifies in the bill that it cannot be any others in the fire department. So with that, I urge the readvancement of LB 205.

SENATOR CLARK: The question before the House is readvancement...he was closing, Senator Chambers. What is the point of order? State your point of order.

SENATOR CHAMBERS: I would like to know if an amendment is drafted...well, this one says, "On page 2, line 17, after the period..." and there is no period on line 17, should the bill drafter assume that it meant line 7 and insert the language there or line 18 or wherever it seems appropriate to insert the language, that is what I would like to know. Will the bill drafter make that decision or what? There is no period on line 17 for the language to be inserted.

SENATOR CLARK: Senator Newell, Senator Newell. Did you make a typographical error when you drafted the amendment?

SENATOR NEWELL: I am trying to look at that now. Senator Beutler, do you have that original?

SENATOR CLARK: Is it all right with you, Senator Newell, if we just hold the bill up and go ahead with Final Reading until you can find it? That is exactly what we will do then. The Clerk will read 272 on Final Reading. I would like to take this opportunity to introduce 21 members of the Student Council at Omaha Bryan, Erwin Rehder is their teacher, and they are in the North balcony. I think they are in Senator Beyer's District. Will you stand and be recognized? Welcome to the Legislature. Also we have the daughter of Senator Maresh, Mrs. Joe DeFlyer, two grandchildren, Erika and Elizabeth. They are from Grand Forks, North Dakota. They are under the North balcony. Will you stand and be recognized please? The Clerk will read 272.

ASSISTANT CLERK: (Read LB 272 on Final Reading.)

SENATOR CLARK: (Mike not on.) ...seats. Senator Haberman, we are supposed to be in our seats please. The Clerk will continue when they get in their seats. Continue.

ASSISTANT CLERK: (Continued reading of LB 272 on Final Reading.)

SENATOR CLARK: All provisions of law having been complied



March 11, 1981

LB 272, 409, 104

with, the question is, shall the bill pass? All those in favor vote aye, opposed no. While you are voting, I will tell you this is Senator Vard Johnson's birthday, and with his first social security check, he is now passing out the rolls.

ASSISTANT CLERK: Senator Clark voting aye.

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

ASSISTANT CLERK: (Record vote read. See pages 853 and 854, Legislative Journal.) The vote is 46 ayes, 0 nays, 1 present and not voting, 2 excused and not voting, Mr. President.

SENATOR CLARK: The bill is declared passed. The Clerk will now read LB 409.

CLERK: (Read LB 409 on Final Reading.)

SENATOR CLARK: All provisions of law having been complied with, the question is, shall the bill pass? All those in favor vote aye, opposed no. Have you all voted? Record the vote.

CLERK: (Record vote read. See pages 854 and 855, Legislative Journal.) 36 (sic) ayes, 7 nays, 2 excused and not voting, 3 present and not voting, Mr. President.

SENATOR CLARK: The bill is declared passed. The Clerk will read 104.

CLERK: (Reading of LB 104 on Final Reading.)

SENATOR CLARK: All provisions of law having been complied with, the question is, shall the bill....pardon. The motion is to return the bill for specific amendment. Senator Beutler. The Clerk will read the amendment.

CLERK: Mr. President, Senator Beutler moves to return LB 104 to Select File for specific amendment. (Read Beutler amendment as found on page 855, Legislative Journal.)

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, when this bill was on Final Reading before, Senator Schmit agreed to an amendment that we passed 26 to 2. The amendment eliminated certain language that appeared twice in the bill but the problem was that the amendment only took out the language in one place. So what this amendment does is to take out the language in the second place on

March 12, 1981

LB 51, 104, 150, 151, 154, 179, 190,  
195, 204, 204A, 205, 220, 272, 409,  
403.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: (Microphone not on)...Tom Huxtable who is the Minister of the Eastridge Presbyterian Church.

REV. TOM HUXTABLE: Prayer offered.

SPEAKER MARVEL: Will you all record your presence, please.

CLERK: Mr. President, Senator Vard Johnson would like to be excused until he arrives. Mr. President, Senator Burrows would like to be excused until he arrives. Senator Wagner and Senator Labeledz until they arrive.

SPEAKER MARVEL: Senator Dworak.

SENATOR DWORAK: A record attendance, please. A record vote on attendance, please.

SPEAKER MARVEL: Record the vote.

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

SPEAKER MARVEL: Do you have any other items on your desk?

CLERK: Yes, sir, I do. Mr. President, I have several matters to read in. Mr. President, LBs 51, 150, 195, 272, 409, and 154 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 LB 51, LB 150, LB 195, LB 272, LB 409, LB 154.

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports LB 104 is correctly engrossed and LB 205 correctly engrossed. (Signed) Senator Kilgarin as Chair. (See page 874 of the Legislative Journal.)

Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 190 and recommend that same be placed on Select File with amendments; 220 Select File, 151 Select File with amendments; 179 Select File with amendments; 204 Select File with amendments; 204A Select File. (Signed) Senator Kilgarin, Chair. (See page 873 of the Legislative Journal.)

Your Committee on Banking reports LB 403 to General File

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.

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.