

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?

January 7, 1982

LB 274, 274A

offered. No one is going to be forced to come to Lincoln for a class. Alternatives exist for someone to study in their home if they do not want to attend perhaps a technical community college course or one of the insurance related courses on the campuses, or one of those courses taught by insurers. LB 274 has strong appeal and support in the insurance companies and businesses and agents, themselves, although not universal, that's true. The vast majority seem to support this notion as we have supported the notion of continuing education in our Performance and Review guidelines that were enunciated in 1981. We said that where our Uniform Licensing Act applies there should be continuing education and that is what the Banking, Commerce and Insurance Committee has seen to it with LB 274 that continuing education is applied to the insurance industry in at least a large number of instances and for a large number of lines. I hope that you will support the bill and vote for LB 274.

PRESIDENT: The motion then is the advance of LB 274 to E & R Initial. All those in favor vote aye, opposed nay. Have you all voted? Record the vote.

CLERK: 28 ayes, 6 nays on the motion to advance the bill, Mr. President.

PRESIDENT: Motion carries and LB 274 is advanced to E & R Initial. The next bill is LB 274A.

CLERK: Mr. President, LB 274A offered by Senator DeCamp. (Read title). Mr. President, Senator DeCamp does have an amendment pending.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: The Chair recognizes Senator DeCamp.

SENATOR DeCAMP: Mr. President and members of the Legislature, this is just the A bill, the financing bill for the program that the bill you just advanced covers. Now as Senator Landis explained to you, this is not general fund money, it is, however, an A bill. The money, of course, comes from the people involved in the program, so the amendment is necessary because this bill was originally proposed a year ago. It is one year later. We have some change in numbers and so on and so forth. What is the number in it? \$40,000, about, something like that. Well, anyway...it is right in that area and as I say, the money comes from the people themselves. Having made that, I would move adoption of the amendment to LB 274A, and make this additional statement. Relative to the entire program of 274 that

January 7, 1982

LB 274A

Senator Landis, a member of our committee, has so adequately described, we have worked on this particular subject for about four years. I am not sure whether it is wise or unwise, but I can tell you that the result in 274 that you just advanced is pretty much what was settled on by most people. But let me not deceive you, mutuals, county mutuals still are pretty vigorously opposed to the legislation. So I think you have to look at the entire picture. Maybe the vast percentage are in favor of it. Some of the smaller individuals as Senator Higgins correctly stated are pretty vigorously opposed. If you need additional information on it, we will sure try to get it to you between now and Select File. I move advancement of the A bill and I would advise you this is a major thing changing the procedures on insurance agents and how we are going to handle them and probably will affect the state, and if we do pass it we should all kind of keep a watch for the next couple years to see that this particular program does work.

SPEAKER MARVEL: (Microphone not on)...to advance 274A. Okay the first motion is the adoption of the amendment to 274A. Is that right, Senator DeCamp? All those in favor of that motion vote aye, opposed vote no. Have you all voted? Record the vote.

CLERK: 27 ayes, 0 nays on the motion to adopt Senator DeCamp's amendment.

SPEAKER MARVEL: The motion is carried. The amendment is adopted.

SENATOR DeCAMP: I move the bill be advanced.

SPEAKER MARVEL: Now the motion is to advance 274A. All those in favor of that motion vote aye, opposed vote no. Record the vote.

CLERK: 25 ayes, 4 nays, Mr. President, on the motion to advance the bill.

SPEAKER MARVEL: The motion is carried. The bill is advanced. The Clerk has some items on the desk.

CLERK: Mr. President, there is an announcement from the Executive Board that will be inserted in the Journal. (See pages 141 and 142 of the Journal).

Mr. President, I have a motion from Senator Vickers to rerefer LB 570 and 572 from Revenue to the Education Committee pursuant to Rule 6, Section 2.

January 18, 1982

LB 32, 198, 215, 264, 274, 274A,
347, 413, 431, 465, 664, 848-851

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by Chaplain.

CHAPLAIN PALMER: Prayer offered.

PRESIDENT: Roll call. Senator Fenger, do you want to hit the button so we can get started? Thank you. Now we will start. Record the presence.

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 correct as published. Any messages, reports or announcements?

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 198 and recommend that same be placed on Select File with amendments; LB 274 Select File with amendments; LB 274A Select File with amendments; LB 413 Select File; LB 32 Select File with amendments; LB 215 Select File with amendments; LB 347 Select File with amendments; LB 465 Select File with amendments; LB 264 Select File with amendments; LB 431 Select File with amendments. Those are all signed by Senator Kilgarin, Chair. (See pages 311 through 316 of the Legislative Journal).

Mr. President, I have a Reference Report referring LB: 839 through 847. (See page 316 of the Journal).

Mr. President, communication from the Governor addressed to the Clerk. The Governor has signed LB 664.

PRESIDENT: Ready then for agenda item #4, introduction of new bills, Mr. Clerk. Are there any bills to introduce?

CLERK: Yes, sir, there are.

PRESIDENT: Proceed.

CLERK: Mr. President, new bills. LB 848 offered by the Public Works Committee and signed by its members. (Read title). LB 849 offered by the Public Works Committee and signed by its members. (Read title). LB 850 by the Public Works Committee and signed by its members. (Read title). LB 851 offered by the Public Works Committee and

February 5, 1982

PRESIDENT: The motion carried. The DeCamp amendment is adopted. Any further amendments, Mr. Clerk?

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

PRESIDENT: Senator DeCamp. Alright the motion is to advance the bill. Any further discussion? All those in favor of advancing LB 274 signify by saying aye, opposed nay. LB 274 is advanced to E & R for engrossment. The next bill is 274A, Mr. Clerk. The Clerk will read some matters into the record and then we will take up 274A.

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports that they have carefully examined and reviewed LB 692 and recommend that same be placed on Select File with amendments; 628 Select File with amendments; 630 Select File with amendments; 728 Select File with amendments, all signed by Senator Kilgarin. (See pages 564-565 of the Legislative Journal.)

Mr. President, your committee on Education whose chairman is Senator Koch to whom is referred LB 650 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendments; LB 652 General File with amendments and LB 817 from the Urban Affairs Committee advanced to General File; LB 727 indefinitely postponed and LB 820 indefinitely postponed. Those are signed by their respective chairmen. (See pages 567-568 of the Legislative Journal.)

Mr. President, I have on 274A an amendment offered by Senator DeCamp to the bill.

PRESIDENT: Alright, Senator DeCamp, we are ready for your amendment to LB 274A.

SENATOR DeCAMP: Mr. President, the amendment is nothing more than the compliance with the new rules brought to me by the representative from the fiscal office or whoever hauls those things out and I put it up there. So we are going to spend the money that we are going to collect, Senator Warner says. In other words you collect money from them and then you spend it.

PRESIDENT: Any discussion on the DeCamp amendment to LB 274A? If not, the question then is the adoption of the DeCamp amendment to LB 274A. All those in favor vote aye, opposed nay. Have you all voted? Record the vote.

CLERK: 25 ayes, 0 nays, Mr. President, on adoption of the DeCamp amendment.

February 5, 1982

LB 274A, 454

PRESIDENT: The motion carries. The DeCamp amendment is adopted. Anything further on the bill?

CLERK: Nothing further on the bill, Mr. President.

PRESIDENT: Senator DeCamp, do you wish to move...? Motion is to advance LB 274A to E & R for engrossment. Any discussion? All those in favor signify by saying aye, opposed nay. The bill is advanced to...LB 274A. Your nay shall be noted, Senator Higgins.

CLERK: Mr. President, I have an Attorney General's opinion addressed to Senator Koch regarding LB 789. (See page 568 of the Legislative Journal.)

PRESIDENT: The next bill on Select File is LB 215.

CLERK: Mr. President, I understand that Senator Chronister wishes to lay LB 215 over.

PRESIDENT: Senator Chronister, are you here? The Chair recognizes Senator Chronister, on your request to lay over LB 215, Senator.

SENATOR CHRONISTER: Yes, Mr. Speaker, that is right. I request to lay over until we clear up the amendment. We are going to have a new amendment on the bill.

PRESIDENT: Any objections? So ordered. It will be laid over. Go to the bottom of the heap the Speaker advises. The next bill then is LB 454.

CLERK: Mr. President, the first amendment I have to LB 454 is offered by Senator Fowler. Senator Fowler.

PRESIDENT: Would the Sergeant at Arms see if Senator Fowler is out there? If he is not there well let's proceed with... here he is. Senator Fowler, we're ready for your amendment on LB 454.

CLERK: Senator, your amendment is on page 398 of the Journal.

SENATOR FOWLER: Mr. President, this amendment deals with the question of how often the sales tax could be adjusted. The bill changes our system of adjusting the sales and income tax to provide smaller increments. The problem that has been expressed by retail merchants is that every time they have to adjust to a new sales tax rate that there is considerable expense to the business and, in fact, one of the misconceptions I had is that the disruption would be to those businesses that did not have modern electronic cash registers and what it

February 9, 1982

LR 217
LB 115, 115A, 131, 255A, 274A,
287, 314, 440, 454, 520, 591, 954

Your committee on Revenue whose Chairman is Senator Carsten reports LB 591 advanced to General File.

Your committee on Education reports LB 520 advanced to General File with committee amendments attached. Those are all signed by the respective Chairmen.

Mr. President, Senator Sieck asks unanimous consent to withdraw his name as co-introducer from LB 954.

SENATOR NICHOL: No objection, so ordered.

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 115 and find the same correctly engrossed; 115A correctly engrossed; 131 correctly engrossed; 255A correctly engrossed; 274A correctly engrossed; 287 correctly engrossed; 314 correctly engrossed; 440 correctly engrossed, and LB 454 correctly engrossed, all signed by Senator Kilgarin as Chair.

SENATOR NICHOL: We will go on to LR 217, Mr. Clerk.

CLERK: Mr. President, LR 217 offered by Senator Koch, found on page 576 of the Journal. (Read LR 217).

SENATOR NICHOL: Senator Koch.

SENATOR KOCH: Mr. Chairman and members of the body, this is noncontroversial I hope. This is merely an endorsement of vocational education week and this is the week that we highlight and I don't think it needs a great deal of explanation, and I ask for the adoption of resolution 217.

SENATOR NICHOL: The question is LR 217. All those in favor signify by voting aye, opposed nay.

CLERK: Senator Nichol voting yes.

SENATOR NICHOL: Have you all voted? Record, please.

CLERK: 27 ayes, 0 nays, Mr. President, on adoption of LR 217.

SENATOR NICHOL: Senator Koch.

SENATOR KOCH: Mr. Chairman, I would like to have a record vote on this and I want to see whether we are really loyal or we are just making fun.

February 19, 1982

LB 131, 274, 274A

SPEAKER MARVEL: We are now...I am going to have to have the attention of the Legislature or we won't be able to move today at all. We are now ready for Final Reading. (Gavel.) We are ready for Final Reading and I would call to your attention, still don't have the attention of the Legislature. There is a very important item coming up, and if you aren't prepared, then that is your problem. At the bottom of this sheet we indicate that noon is the deadline for priorities, noon for priorities. So I would call this to your attention as we proceed now on approximately two hours of Final Reading. All legislators please return to your seats. Our rules indicate that we cannot begin Final Reading until all Legislators are in their seats. Item #6, Final Reading. Clerk will read. Okay, the Clerk will read.

CLERK: (Read LB 131 on Final Reading.)

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: (Record vote read. See page 762, Legislative Journal.) 43 ayes, 0 nays, 4 excused and not voting, 2 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed with the emergency clause attached. Next, LB 274.

CLERK: (Read LB 274 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 pages 762 and 763, Legislative Journal.) 41 ayes, 2 nays, 4 excused and not voting, 2 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. We now go to LB 274A.

CLERK: (Read LB 274A 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? Record.

February 19, 1982

LB 274A, 287, 314, 402

CLERK: (Record vote read. See pages 763 and 764, Legislative Journal.) 40 ayes, 3 nays, 5 excused and not voting, 1 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is passed on Final Reading. Go to LB 287.

CLERK: (Read LB 287 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. With the emergency clause attached. Have you all voted? Record the vote.

CLERK: (Record vote read. See pages 764 and 765, Legislative Journal.) 45 nays, 0 nays, 4 excused and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed with the emergency clause attached. Before we proceed with the next item, it is my pleasure to introduce Mr. Steve Biedeck from Ralston who is also a student at UNL. He is in Senator Koch's District. The Clerk will read on Final Reading LB 314.

CLERK: (Read LB 314 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 314. Have you all voted? Record the vote.

CLERK: (Record vote read. See page 765, Legislative Journal.) 45 ayes, 1 nay, 3 excused and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. Next bill, LB 402, on Final Reading.

CLERK: (Read LB 402 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. Clerk, record the vote.

CLERK: (Read record vote. See page 766, Legislative Journal.) 42 ayes, 2 nays, 3 excused and not voting, 2 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading.

February 19, 1982

LB 131, 274, 274A, 287,
314, 402, 440, 454,
589, 646, 649, 904

SPEAKER MARVEL: While the Legislature is in session and capable of transacting business, I am about to sign and do sign LB 131, LB 274, LB 274A, LB 287, LB 314, LB 402, LB 440, LB 454, LB 589. The next order of business is Final Reading on LB 646.

CLERK: (Read LB 646 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 646. Have you all voted? This is voting on Final Reading, LB 646. Have you all voted? Record the vote.

CLERK: (Record vote read. See page 786, Legislative Journal.) 46 ayes, 1 nay, 1 present and not voting, 1 excused and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. Next bill, LB 649.

CLERK: (Read LB 649 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 649 on Final Reading. Record the vote.

CLERK: (Record vote read. See page 787, Legislative Journal.) 45 ayes, 1 nay, 2 present and not voting, 1 excused and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading.

CLERK: Mr. President, Senator Cullan would like to have an executive session of the Public Health and Welfare Committee Monday morning at nine o'clock in Room 1019. That is Public Health and Welfare Monday morning, nine o'clock in Room 1019.

Urban Affairs instructs me to report LB 904 indefinitely postponed. That is signed by Senator Landis as Chairman.

SENATOR CLARK PRESIDING

SENATOR CLARK: Senator Beyer, would you like to adjourn us until Monday morning at nine-thirty.

SENATOR BEYER: Mr. Speaker, I move that we be adjourned until Monday morning at nine-thirty.

LR 211, 224
LB 131, 192, 198, 211, 224, 231,
239, 263, 270, 274, 274A, 287,
314, 402, 440, 448, 450, 454,
465, 511, 547, 589, 592, 634,
646, 649, 669A, 672, 827

February 22, 1982

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: The prayer will be delivered by the Reverend Palmer.

REVEREND PALMER: Prayer offered.

SPEAKER MARVEL: Record your presence, please. While we are waiting for a quorum, underneath the South balcony from Scottsbluff, Nebraska, Audrey Towater is the guest of Senator Nichol. She is the one that has that large object there she is working on. I suggest that at your convenience you take a look at it. It is very interesting. Record, Mr. Clerk.

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

SPEAKER MARVEL: The Clerk has got some items to read into the Journal.

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined and reviewed LB 634 and recommend that same be placed on Select File with amendments; 672 Select File with amendments and LB 827 Select File and 669A Select File, all signed by Senator Kilgarin. (See pages 790-791 of the Journal.)

Your Enrolling Clerk respectfully reports that she has presented to the Governor on February 19 at two-fifty, bills passed on Final Reading that day. (Re: LB 131, 274, 274A, 287, 314, 402, 440, 454 and 589.)

Mr. President, I have communications from the Governor. The first is addressed to the Clerk. (Read communication re: LB 239 as found on page 791 of the Legislative Journal.) The second communication is addressed to the Clerk. (Read re: LB 192, 198, 231, 263, 270, 448, 450, 465, 511, 592, 131, 274, 274A, 287, 314, 402, 454 and 589.)

Mr. President, your committee on Urban Affairs whose chairman is Senator Landis reports LB 904 as indefinitely postponed. That is signed by Senator Landis as Chair.

Senator Schmit would like to print amendments to LB 547 in the Legislative Journal. (See page 792 of the Journal.)

Mr. President, LR 211, 224 and LB 646 and 649 are ready for your signatures.

SPEAKER MARVEL: While the Legislature is in session and capable of transacting business I am about to sign and do sign LR 211, LR 224, engrossed LB 646, LB 649. (See page