

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.

March 23, 1981

LB 39, 280, 303, 423, 536

is adopted. Are we now ready for General File, Mr. Clerk?

CLERK: Mr. President, if I may read just an item or two in. Your committee on Government, Military and Veterans Affairs reports LB 280 to General and LB 536 to General File. (Signed) Senator Kahle. The Government Committee reports favorably upon certain gubernatorial appointments, and the Government Committee would like to have an Executive Session under the north balcony upon recess this morning. Underneath the north balcony, the Government Committee, Mr. President. (See page 1061 of the Journal for gubernatorial appointment.)

Mr. President, your committee on Education whose Chairman is Senator Koch reports LB 303 to General File with amendments, and 423 to General File with amendments. (Signed) Senator Koch. (See pages 1060 and 1061 of the Legislative Journal.)

SPEAKER MARVEL: Okay, we are ready for General File, LB 39E.

CLERK: Mr. President, LB 39 was offered by Senator Kahle. (Read title.) The bill was first read on January 8 of this year. It was referred to the Public Health and Welfare Committee. The bill was advanced to General File. There are committee amendments pending by the Public Health and Welfare Committee.

SPEAKER MARVEL: Senator Wesely, do you want to take the committee amendments?

SENATOR WESELY: Yes. Mr. Speaker and members of the Legislature, the Public Health Committee found that there were some technical problems with the bill. The committee amendments would adjust and take care of those technical problems and make it clear that this is not retroactive but it does, in fact, it's a prospective decrease in the percentage figures and I think it is just a technical amendment by the committee. I move the committee amendments.

SPEAKER MARVEL: The motion is the adoption of the committee amendments to LB 39. All those in favor of that motion vote aye, opposed vote no. Record the vote.

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

SPEAKER MARVEL: The motion is carried. The committee

March 27, 1981

LB 200, 280, 371

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Record the vote.

CLERK: 29 ayes, 0 nays, Mr. President, on the motion to advance the bill.

SPEAKER MARVEL: The motion is carried. The bill is advanced. The next bill is LB 371. Mr. Clerk.

CLERK: Mr. President, LB 371 was introduced by Senator Goll. (Read.) The bill was first read on January 19, referred to the Education Committee and advanced to General File. I have no amendments on the bill, Mr. President.

SPEAKER MARVEL: Senator Goll.

SENATOR GOLL: Mr. Speaker, members of the Unicameral, I move advancement of LB 371. I would like to take about two minutes to explain it. It is a simple piece of legislation which actually cleans up some obsolete statutory language, wherein we refer to an area of vocational technical schools and junior colleges, both of now which no longer exist under these names and have been merged into a system of area technical community colleges. This bill would strike that language. LB 371 also does one other thing and the most important part of the bill probably in that it changes the lease purchase agreements by allowing public schools to enter into so-called arrangements for a total of seven years where-in now the language states five. This would enable school boards to keep some of their payment costs down when they enter into agreements for equipment. A seven year leasing period is more in keeping with standard industry practice. I would move passage of the bill, Mr. Speaker.

SPEAKER MARVEL: The motion is the advancement of the bill. All those in favor of that motion vote aye, opposed vote no. Have you all voted? We are voting on the advancement of the bill. Record.

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

SPEAKER MARVEL: The motion is carried and the bill is advanced. The next bill is LB 280.

CLERK: LB 280 was introduced by Senator Wesely. (Read.) The bill was first read on January 16, referred to Government, Veteran and Military Affairs. The bill was advanced to General File. I have no amendments on the bill, Mr. President.

March 27, 1981

LB 280, 536

SPEAKER MARVEL: Senator Wesely, do you want to explain the bill?

SENATOR WESELY: Yes, Mr. Speaker, this bill was brought to me by the Lancaster Sheriff, Dale Adams who found that he had unclaimed property that was piling up in his office there over a two year period that could not be dealt with evidently under the present system because there really are not any statutes to deal with it. Although major items can be sold by the state treasurer in a process that we do have, the items that we are concerned with in this bill were small items that just accumulated over a period of time that he would like to get rid of but he would like to sell at an auction so some money could be raised that could then be kept by the county and used for public purposes. So, the feeling was that we just needed a statute to allow the county sheriffs to deal with the question of unclaimed property in a very expedient manner and this bill was introduced. There really isn't too many problems that I think we have with the situation other than what is dealt with here. State Treasurer Marsh did appear, had some concerns about hand guns and some other seized property and how to deal with it. There was a commitment made by the State Patrol to work with Treasurer Marsh to try to work out something for next session but because it is seized property versus unclaimed property which is what this bill deals with it was felt best not to deal with it in this legislation. So, the bill is back to county sheriffs dealing with unclaimed property.

SPEAKER MARVEL: The motion is to advance the bill. All those in favor of the motion vote aye, opposed vote no. LB 280. Record the vote.

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

SPEAKER MARVEL: The motion is carried and the bill is advanced. LB 536.

CLERK: Mr. President, LB 536 is offered by Senator DeCamp at the request of the Governor. (Read.) The bill was first read on January 30. It was referred to the Government, Military and Veterans Affairs Committee. The bill was advanced to General File. I have no amendments on the bill.

SPEAKER MARVEL: Senator DeCamp.

SENATOR DeCAMP: Mr. President, this is a Task Force bill. It just transfers those duties from one department to another as per the agreement of all the various agencies. I move the advancement of the bill.

March 31, 1981

LB 58, 87, 157, 157A, 158, 200,  
280, 283, 329, 330, 333, 371,  
407, 427, 427A, 437, 483, 491, 536

PRESIDENT LUEDTKE PRESIDING

FATHER HENRY BURTON: (Prayer offered).

PRESIDENT: Roll call. Roll call, please. Would all of you please register your presence if you are here? We are still waiting a quorum. Senator Warner, do you want to give us your presence here and we can get a quorum. Thank you. 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: I have no corrections, Mr. President.

PRESIDENT: The Journal will then stand as published. Are there any other messages, reports or announcements, Mr. Clerk.

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 329 and recommend that same be placed on Select File with amendments; 333 Select File with amendments; 483 Select File; 407 Select File; 427 Select File; 427A Select File; 157 Select File; 157A Select File; 200 Select File; 371 Select File; 280 Select File; 536 Select File; 158 Select File; 330 Select File; 58 Select File with amendments; 491 Select File; 283 Select File with amendments; 87 Select File; 437 Select File with amendments. All signed by Senator Kilgarrin as Chair. That is all I have, Mr. President.

PRESIDENT: Thank you, Mr. Clerk. Senator Haberman, did you wish...Senator Haberman. The Chair recognizes Senator Haberman for a point of personal privilege. Yes, and you should all pay attention to this because it is pretty personal.

SENATOR HABERMAN: Mr. President, members of the Unicameral, this is a very personal thing and I would like to have your attention, especially the attention of the press. In the Omaha World Herald and in the Star this morning, it says, "Senator Rex Haberman of Imperial who operates a liquor store". I do not operate a liquor store. I do not own a liquor store nor do I have any stock in any liquor stores. I do not know where this idea came from and I would like to inform this body and have it go on the record that I am in no way involved in any liquor stores, wholesale, retail, giveaway or anything else, and I thank you, Mr.

April 6, 1981

LB 200, 280, 371

SPEAKER MARVEL: Is Senator Carsten in the room? Maybe we should temporarily pass over that one and go to the next one. While we are waiting, awaiting that, in the north balcony from Senator Hoagland's district it is my pleasure to introduce 45 students from St. Cecelia's in Omaha, Paulette Schlueter, teacher. Would you hold up your hands so we can see where you are? Welcome to the Unicameral. Are we ready on which bill? LB 371.

SENATOR KILGARIN: I move LB 371 be advanced to E & R for Engrossment.

SPEAKER MARVEL: All in favor of that motion say aye. Opposed no. Motion is carried, bill is advanced. LB 280. Senator Kilgarin.

SENATOR KILGARIN: I move LB 280 be advanced to E & R for Engrossment.

SPEAKER MARVEL: All in favor of that motion say aye. Opposed no. Motion is carried, bill is advanced. Senator Carsten, do you wish to take up LB 200?

CLERK: Mr. President, Senator Carsten moves to amend LB 200 to strike original section four of the bill.

SPEAKER MARVEL: Senator Carsten.

SENATOR CARSTEN: Mr. President and members of the Legislature, we took care of this section in another bill. It is absolutely unnecessary. I would move that we delete it from LB 200. Senator Hefner may want to speak to this also, I don't know.

SPEAKER MARVEL: Senator Hefner.

SENATOR HEFNER: Mr. President, members of the body, I concur with Senator Carsten. We had this in LB 200 before the other bill went across. Now, as the other bill is moving it is not necessary that we have this section in this bill. Therefore I would urge you to vote for the amendment.

SPEAKER MARVEL: Senator Carsten, do you wish to move your amendment?

SENATOR CARSTEN: I so move, Mr. President.

SPEAKER MARVEL: The motion is the adoption of the Carsten amendment for LB 200. All those in favor of that motion vote aye, opposed vote no. Record.

April 7, 1981

LB 477, 291, 311, 355, 56,  
157, 157A, 158, 200, 243,  
280, 371, 407, 427, 427A

SENATOR PIRSCH: Okay, ther are. . . .

SENATOR WESELY: Or based on what sort of effort did you. . . .

SENATOR PIRSCH: There are three states which presently have  
about the same thing, Wisconsin, California and I'll look  
up the other one, Connecticut.

SENATOR WESELY: Okay, thank you. I would just like to  
rise in support of the bill. I think that clearly this is  
an effort that needs to be undertaken by the State of Ne-  
braska that for to long we have ignored the problems  
that have been experienced by our witnesses and victims  
of crime and certainly want to commend Senator Pirsch for  
her efforts in this area. It seems to me that the bill  
is a step in the right direction.

SPEAKER MARVEL: Senator Pirsch, do you wish to close?

SENATOR PIRSCH: Yes, thank you Mr. Speaker, I'll close  
just by saying that I am proud to have had Nebraska in  
the forefront in helping other victims and I think that  
this will be a continuation of our sincere desire to help  
those victims and witnesses in the criminal justice  
system. I urge your passage of 477.

SPEAKER MARVEL: The motion is to advance the bill, 477,  
all those in favor of advancing the bill vote aye,  
opposed vote no. Have you all voted? Record.

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

SPEAKER MARVEL: Motion is carried, bill is advanced.

CLERK: Mr. President, you Enrollment Clerk respectfully  
reports that she has presented to the Governor LBs 291,  
311, 355 and 56.

Committee on E & R respectfully reports that we have  
carefully examined and re-engrossed LB 290 and find the  
same correctly engrossed. 157, 157A, 158, 200, 371, 407, 280,  
427 and 427A, all corrected engrossed. (signed) Senator  
Kilgarin, Chair.

Senator Schmit would like to print amendments to LB 243  
in the Journal, Mr. President.

April 13, 1981

LB 200, 280, 283

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 200 pass? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Record vote read. See pages 1428 and 1429, Legislative Journal.) 42 ayes, 0 nays, 6 excused and not voting, 1 present and not voting, Mr. President.

PRESIDENT: LB 200 passes and we will proceed with the next bill on Final Reading, LB 280.

CLERK: (Read LB 280 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 280 pass? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Record vote read. See pages 1429 and 1430, Legislative Journal.) 41 ayes, 0 nays, 6 excused and not voting, 2 present and not voting, Mr. President.

PRESIDENT: LB 280 passes. The next bill on Final Reading, Mr. Clerk, is LB 283.

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

PRESIDENT: Read the motion, Mr. Clerk.

CLERK: Mr. President, Senator Vickers moves to return LB 283 to Select File for specific amendment. (Read Vickers amendment found on page 1430, Legislative Journal.)

PRESIDENT: The Chair recognizes Senator Vickers.

SENATOR VICKERS: Mr. President, members, LB 283 has a technical problem with it and a part of it is due to the fact that for some reason or another part of the amendments that were the committee amendments were not incorporated in the Final Reading copy and that is the "members" instead of "stockholders", and the fifty percent should be just fifty members. It is discussing the amount of people that have to be present before a quorum can be established at a stockholders meeting of a nonstock coop, and the language says "which member percentage shall not be less than ten percent of the members but not more than fifty members" is what it is supposed to say. It says right now in the bill says "fifty percent". So this is really a technical amendment and I would urge the body's adoption or of bringing the bill back to Select File for the adoption of the amendment.



April 14, 1981

LR 12, 52, 53, 54, 55  
LB 134, 181, 200, 280, 330,  
371, 407, 437.

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by the Reverend Carl Godwin, Pastor of the Bible Baptist Church here in Lincoln.

REVEREND CARL GODWIN: Prayer offered.

PRESIDENT: Roll call. Record the presence.

CLERK: Quorum present, Mr. President.

PRESIDENT: Are there any corrections to the Journal?

CLERK: I have no corrections, Mr. President.

PRESIDENT: The Journal stands correct as published. Any other messages, reports or announcements?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 134 and recommend that same be placed on Select File.

Mr. President, I have an Attorney General's Opinion addressed to Senator Vickers regarding LB 181. (See pages 1448 and 1449 of the Legislative Journal.) And Senator Sieck would like to print amendments to 298. (See page 1450 of the Legislative Journal.)

Mr. President, LRs 52, 53, 54, 55, and LB 200, 280, 330, 371, and 407 and 437 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 LR 52, LR 53, LR 54, LR 55, LB 200, LB 280, LB 330, LB 371, LB 407, and LB 437. Ready then for agenda item #4, resolutions, commencing, Mr. Clerk, with LR 12.

CLERK: Mr. President, LR 12 was introduced by Senator Don Wesely. (Read LR 12). Mr. President, the resolution is found on page 388. It was considered by the membership on February 2 and on February 3 it was....I'm sorry, it was considered on February 3. It was referred to the Banking Committee for public hearing. The matter has been referred back to the Legislature for their consideration.

PRESIDENT: The Chair recognizes Senator Wesely.

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

LB 40, 132, 200, 266, 280, 284,  
329, 330, 333, 360, 366, 371,  
379, 392, 395, 407, 437, 479, 318.

April 15, 1981

SENATOR BEUTLER: Mr. Speaker, I think I would like to have a roll call vote and a Call of the House.

SPEAKER MARVEL: All those in favor of placing the House under Call vote aye, opposed vote no. Record.

CLERK: 20 ayes, 0 nays to go under Call, Mr. President.

SPEAKER MARVEL: The House is under Call. All legislators please take your seats. Record your presence. Unauthorized personnel.....yes, go ahead.

CLERK: Mr. President, I have an Attorney General's Opinion addressed to Senator Carsten regarding LB 284. (See pages 1499 through 1501.) Senator Schmit would like to print amendments to 360, Senator Wesely to 266, Senator Newell to 395, Senator Wesely to 366, Senator Beutler to 132, Senator Vickers to 266. (See pages 1494 through 1498 of the Legislative Journal.)

Mr. President, a communication from the Governor addressed to the Clerk. (Read communication regarding LBs 40, 200, 280, 329, 330, 333, 371, 379, 392, 407, 437, and 479 as found on page 1502 of the Journal.)

SPEAKER MARVEL: Senator Wagner, Senator Schmit, Senator Haberman, Senator Chambers. Senator Haberman, Senator Higgins. Senator Koch.

SENATOR KOCH: Mr. Speaker, I move that we adjourn until tomorrow morning at nine o'clock.

SPEAKER MARVEL: We are in the middle of a vote, Senator Koch. Senator Beutler, everyone who is not excused.... everybody is here except Senator Chambers. Shall we proceed with the roll call? Okay, all legislators will please return to your seats so we can complete the roll call. The Chair is not authorized to proceed until you are in your seats. Okay, call the roll.

CLERK: (Read the roll call vote as found on pages 1493 and 1494 of the Legislative Journal.) 23 ayes, 19 nays, on the motion to indefinitely postpone the bill, Mr. President.

SPEAKER MARVEL: Motion prevails. What else do we have?

CLERK: Mr. President, Senator Vickers asks unanimous consent to add his name to LB 266 as co-introducer.

SPEAKER MARVEL: No objection, so ordered.