

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 31, 1981

LB 284, 284A

year and that damage that is done this year to a lot of subdivisions will be eased a little bit. So with the understanding that I and a lot of others have committed to going this other direction on this variable for the second or third year on Select File, I urge you to advance the bill and, Senator Fenger and Senator Beyer, I would urge you who are concerned about Sarpy County, to study the picture, to look it over and see, if indeed, you don't think when you have looked at the whole thing, that you are in a much better deal this way. I think there is thirty-three votes for the bill in this form with the things we are talking about on Select File. I know that Senator Cal and Senator Warner and Senator Shirley and I have all talked about maybe some adjustment on that interest figure, maybe we can reach a compromise on Select File by that time, 1.2 million or 1.3, the actual interest rather than the 2 or 2 and a half million.

SENATOR CLARK: You have about one minute left.

SENATOR DeCAMP: If that is the case, that might make it a little easier. So I urge you to advance the bill at this time.

SENATOR CLARK: The question before the House is the advancement of LB 284 to E & R. All those in favor vote aye, all those opposed vote nay.

CLERK: Senator Clark voting aye.

SENATOR CLARK: Have you all voted? Record.

CLERK: 35 ayes, 1 nay, Mr. President, on the motion to advance the bill.

SENATOR CLARK: The motion passed. The bill is advanced. 284A.

CLERK: Mr. President, 284A was introduced by Senator DeCamp. (Title read.) I do have an amendment to the bill, Mr. President. Mr. President, Senator Carsten moves to amend the bill. "Page 2, line 1, strike "70" and insert "71"; line 2 after "million" insert "\$300,000". Strike original Section 4."

SENATOR CLARK: Senator Carsten.

SENATOR CARSTEN: Mr. President and members of the Legislature, I will ask unanimous consent to withdraw that amendment for General File and we will look at Select File and see where we are at.

SENATOR CLARK: It is withdrawn. Senator DeCamp.

March 31, 1981

LB 40, 181, 284A, 437

SENATOR DeCAMP: Mr. President, I urge you to advance the bill. It is of course the money aspect of this thing and I would just say on Select File as Senator Cal Carsten pointed out, we have to decide on the numbers and that may be \$70,000,000. It may be \$71,000,000, 72.5, I don't know. But I think all of you people that feel very strongly one way or another, we should sit down here in the next twenty-four to forty-eight hours and see if we can't reach a consensus of just what kind of numbers you want to put in here.

SENATOR CLARK: The question before the House is the advancement of LB 284A. All those in favor vote aye. All those opposed vote nay.

CLERK: Senator Clark voting aye.

SENATOR CLARK: Have you all voted on the advancement of 284A? Record the vote.

CLERK: 33 ayes, 0 nays, Mr. President, on the motion to advance the A bill.

Mr. President, Senator Labeledz offers explanation of vote.

I have a new resolution signed by the membership, LR 50. (Read LR 50 as found on pages 1224-1225 of the Legislative Journal.) That will be laid over, Mr. President.

Mr. President, I have an Attorney General's opinion addressed to Senator Marsh. That will be inserted in the Journal. (See pages 1225-1226 of the Journal.)

Mr. President, Senator Cullan would like to print amendments to LB 437; Senator Wesely to print amendments to LB 181. (See page 1227 of the Journal.)

Mr. President, LB 40 was a bill introduced by Senators Goodrich, Koch and DeCamp. (Title read.) The bill was first read on January 8. It was referred to Revenue. The membership considered the bill on March 23. At that time committee amendments were adopted, Mr. President. On a motion the bill failed to advance on March 23. I now have an amendment from Senator DeCamp to strike the committee amendments as adopted.

SENATOR DeCAMP: Mr. President, members of the Legislature, the only reason I suggest we strike the committee amendments is because they proposed this be on the ballot as I understand it, in May in Omaha and that now is a technical and legal impossibility. So I am suggesting we strike those amendments and then I would hope that maybe in light of the

April 2, 1981

LB 72, 181, 205, 284,
284A, 512, 529, 556

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: The morning prayer will be given by
Pastor Jack Glass, of the First Assembly of God.

PASTOR GLASS: Prayer.

SPEAKER MARVEL: Will you please record your presence.

CLERK: Mr. President, Senator Burrows would like to be
excused until he arrives. Mr. President, Senators Clark
and Nichol would like to be excused for the day. Senators
Cullan, Pirsch and Sieck until they arrive.

SPEAKER MARVEL: Record.

CLERK: Quorum present, Mr. President.

SPEAKER MARVEL: Do you have any items under number three?

CLERK: Mr. President, Senator Warner gives notice of
hearing scheduled on LB 556 by the Appropriations Committee.

Your Committee on Enrollment and Review respectfully
reports they have carefully examined and reviewed LB 284
and recommends the same be placed on Select File. LB 284A
Select File. (Signed) Senator Kilgarin, Chair.

Your Committee on Enrollment and Review respectively reports
they have carefully examined and engrossed LB 72 and find
the same correctly engrossed and 205 correctly re-engrossed.
(signed) Senator Kilgarin.

Mr. President, I have a report of registered lobbyists for
the week of March 27th through April 1st.

Mr. President, Senator Schmit would like to print amendments
to LB 11. Senator Howard Peterson to LB 512. Senator
Vickers to 181.

Mr. President, Senator Sieck and Kahle ask unanimous consent
to add their names to LB 529 as co-introducers.

SPEAKER MARVEL: Hearing no objection so ordered.

CLERK: I believe Mr. President that is all that I have at
this time.

April 9, 1981

LB 22A, 245A, 284A

CLERK: I don't have an E & R to the A bill, Mr. President. I do have a motion from Senator Carsten to strike original section 4 from 284A.

SPEAKER MARVEL: Senator Carsten.

SENATOR CARSTEN: Mr. President, this section in the A bill was the \$6 million that was in the original bill that is now not a part of 284, so it needs to be stricken. I move for the adoption of the amendment. It changes nothing else in the bill. It's still the same fund, \$70 million.

SPEAKER MARVEL: The motion is the Carsten amendment as explained. All those in favor vote aye, opposed vote no. Have you all voted? Record.

CLERK: 28 ayes, 1 nay, Mr. President, on the motion to adopt the Carsten amendment to the A bill.

SPEAKER MARVEL: The motion is carried. The amendment.... excuse me.

SENATOR CARSTEN: I move the advancement of the bill as amended.

SPEAKER MARVEL: The motion is the advancement of the A bill as amended by Senator Carsten. All those in favor vote aye, opposed vote no. Record the vote.

CLERK: 33 ayes, 2 nays on the motion to advance 284A, Mr. President.

SPEAKER MARVEL: The motion is carried. Are there any other items?

CLERK: Mr. President, Senator Hoagland would like to print amendments to LB 245A. (See page 1388 of the Legislative Journal.)

The Appropriations Committee will meet for an Executive Session upon adjournment in Room 1003. The Appropriations Committee for Executive Session in Room 1003 upon adjournment, Mr. President.

SPEAKER MARVEL: Senator Kilgarin. We are on Select File and we are talking about 22A.

SENATOR KILGARIN: I move we advance LB 22A to E & R for Engrossment.

April 13, 1981

LB 11, 17, 59, 132, 167,
LB 205, 253, 253A, 284,
LB 284A, 329, 333, 366,
LB 483

first one now and then see how we get along.

CLERK: Mr. President, if I may, right before we go to that, your committee on Enrollment and Review respectfully reports LB 132 correctly engrossed; 253, 253A, 284, 284A, and LB 483 all correctly engrossed.

A letter from the Governor addressed to the Clerk. (Read. Re: LB 59, 167, 17 and 205. See page 1446, Legislative Journal.)

Senator Wagner would like to print amendments to LB 11.

And your Enrolling Clerk has presented to the Governor LB 329 and 333.

Mr. President, LB 366 (Read title). The bill was first read on January 19, referred to Retirement for public hearing. The bill was advanced to General File. There are committee amendments by the Retirement Committee.

SPEAKER MARVEL: Senator Fowler, do you wish to explain the committee amendments?

SENATOR FOWLER: I do. I move adoption of the committee amendments. LB 366 is a bill that deals only with police and fire in the City of Lincoln or that is cities of the primary class. The committee amendments are a compromise, a negotiated compromise, between the police, the fire and the city administration. It is acceptable to all sides and acceptable with an amendment that Senator Landis offers. The basic thrust and the reason for the agreement is that civilian employees if you want to use that term, the nonpublic safety employees, are currently being matched \$2 for every \$1 that they contribute. The city matches \$2 for every \$1 that is contributed. The city working with its actuary developed a proposal to improve the Lincoln Police and Fire system to the point that the same matching ratio would be used and that the 7% of employees salary contributed by the police and fire would be matched with a 14% of payroll contribution by the police. So these are amendments. 366, there is a companion bill, 367. That bill was killed. This integrates the proposals. It may be less than the public safety organizations initially wanted but it is something that provides equity and comparability between the systems. I would move for the adoption of the amendments.

SPEAKER MARVEL: The motion is the committee amendments to LB 366. Okay, the motion is to adopt the committee amendments. Senator Schmit, do you wish to speak to the committee amendments?

April 28, 1981

LB 13, 184, 241, 242,
284A, 298, 477, 478, 486

Reading? Those in favor vote aye, opposed vote no.
Have you all voted? Have you all voted? Record the vote.

ASSISTANT CLERK: (Read the record vote as found on page 1607 of the Legislative Journal.) The vote is 41 ayes, 11 nays, 2 excused and not voting and 2 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. The Clerk will now read on Final Reading LB 249.

ASSISTANT CLERK: (Read LB 249 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 249 on Final Reading. Have you all voted? Record the vote.

ASSISTANT CLERK: (Read the record vote as found on page 1608 of the Legislative Journal.) The vote is 33 ayes, 11 nays, 2 excused and not voting, 3 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. There has been a request to lay over LB 477. Senator Pirsch, do you have any comments you want to make?

SENATOR PIRSCH: Thank you, Mr. Speaker, I do ask that we lay over 477. I have been informed that it does require an A bill, although it is not over the \$50,000 that I thought was necessary to require an A bill. So I will get that in the works immediately and ask you to indulge the lay-over of this bill at the present time.

SPEAKER MARVEL: Hearing no objection, we will pass over the bill. Okay, the Clerk has some items to read in and then we will go to Select File.

CLERK: Mr. President, Senator Carsten would like to print amendments to LB 284A. (See page 1609 of the Legislative Journal.)

Mr. President, your Enrolling Clerk has presented to the Governor for his approval LB 486, 478, 298 and 241.

Mr. President, Miscellaneous Subjects will have a meeting at twelve noon in Room 2102.

Mr. President, Senator Burrows would like to print amendments to LB 184. (See page 1609 of the Legislative Journal.)

April 30, 1981

LB 179, 284A

PRESIDENT: Motion carries. The amendment is adopted. Senator Carsten, will you move it back?

SENATOR CARSTEN: Now, Mr. President, I move that LB 179 as amended be advanced to E & R for engrossing.

PRESIDENT: Motion to advance LB 179 to E & R for engrossment. Any discussion? All those in favor signify by saying aye, opposed nay. LB 179 is returned to E & R for engrossing. Any further amendments on the bill, Mr. Clerk?

CLERK: Mr. President, Senator Hoagland moves to return LB 179 to Select File for specific amendment and that amendment is on page 1468 of the Journal.

PRESIDENT: The Chair recognizes Senator Hoagland.

SENATOR HOAGLAND: I would like to withdraw that amendment, Mr. President.

PRESIDENT: All right. Senator Hoagland has withdrawn his amendment. Any further amendments?

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

PRESIDENT: We will move on then to LB 284 on Final Reading, 284A, yes. and is there a motion on this?

CLERK: Yes, sir, there is.

PRESIDENT: Would you read the motion?

CLERK: Mr. President, Senator Carsten moves to return LB 284A to Select File for specific amendment and the amendment is on page 1608 of the Journal.

PRESIDENT: The Chair recognizes Senator Carsten.

SENATOR CARSTEN: Mr. President and members of the Legislature, I move to bring 284A back to E & R for a specific amendment and that specific amendment is this, to strike some language and reinsert some. When we passed 284 the other day on line 3 after the word "the", "political subdivision property tax relief fund" was stricken and "local government revenue fund" was inserted. Now we did not do that with the A bill so we need to bring it back. In order to be in compliance and make it compatible to 284 we also need to change the program numbers. In the original bill of 284A, it was for program 142 but the proper program is now 145 so those are just technical

April 30, 1981

LB 284A, 290

amendments, Mr. President, but we really need to do it for the very simple reason that if we left it as is the money that is provided for in 284 would not be there to be sent out and I think it is our desire that the \$70 million be distributed. With that explanation of the technical amendment, I move for 284A to be returned for that amendment.

PRESIDENT: Any further discussion on the Carsten motion to return LB 284A? Seeing none, Senator Carsten, I guess that again constitutes your opening and closing. The question is the return of LB 284A for the specific Carsten amendment. All those in favor vote aye, opposed nay. Record the vote.

CLERK: 32 ayes, 0 nays on the motion to return the bill, Mr. President.

PRESIDENT: Motion carries. The bill is returned. Senator Carsten, do you wish to move the adoption of the amendment?

SENATOR CARSTEN: Now, Mr. President, I move for the adoption of the technical amendment as explained.

PRESIDENT: All right, motion is to...opening and closing. Any further discussion? Motion is the adoption of the Carsten amendment to LB 284A. All those in favor vote aye, opposed nay. Record the vote.

CLERK: 32 ayes, 0 nays, Mr. President, on the motion to adopt the amendment.

PRESIDENT: Motion carries. The amendment is adopted. Senator Carsten, do you want to move to E & R?

SENATOR CARSTEN: Now, Mr. President and members of the Legislature, I move 284A as amended be advanced to E & R engrossing.

PRESIDENT: The Carsten motion is to advance LB 284A to E & R for engrossment as amended. Any discussion? All those in favor signify by saying aye, opposed nay. LB 284A is advanced to E & R for engrossment. Anything further on LB 284?

CLERK: Nothing further on 284A, Mr. President.

PRESIDENT: We are then ready for LB 290, Mr. Clerk.

CLERK: Mr. President, the first motion I had on 290 was from Senator Chambers. I do have a note that he wishes to withdraw.

May 1, 1981

LR 66
LB 76, 284A, 284, 290, 536

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by the Reverend Ralph Sturdy, Pastor of the First Evangelical Covenant Church here in Lincoln.

REVEREND RALPH STURDY: Prayer offered.

PRESIDENT: Roll call. Have you all registered your presence? Has everyone registered your presence? Record the presence, Mr. Clerk.

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

PRESIDENT: Quorum being present, are there any corrections to the Journal?

CLERK: Mr. President on page 1066 we should strike the word "lost" and insert "adopted".

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

CLERK: Mr. President, I have a Report of Registered Lobbyists for the week of April 24 through April 30.

Mr. President, it seems like there is an echo in this. Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 284A and find the same correctly engrossed, and LB 76 correctly reengrossed.

Mr. President, I have an Attorney General's Opinion addressed to Senator Vard Johnson regarding 284. (See pages 1675 through 1677 of the Legislative Journal.)

Mr. President, LBs 290 and 536 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 290. We are ready for agenda item #4, Mr. Clerk, resolutions, and LR 66 is the first resolution, and I guess the only one.

CLERK: Mr. President, LR 66 was introduced by Senators Pirsch, Goodrich, Kilgarin, Labedz, Higgins, Vard Johnson, Koch, Witala and Hoagland, and it is found on page 1622 of the Journal. (Read LR 66.)

PRESIDENT: Before I call on Senator Pirsch, just to announce that while the Legislature is in session I also have signed LB 536. And now the Chair recognizes Senator Pirsch.

May 4, 1981

LB 561, 284A

SPEAKER MARVEL: Do you have your green sheets in front of you? The first thing we are going to take up this afternoon is appropriation bills, 561, 163 and 562 and hopefully when that is complete we can go back to Select File and try to continue in that important area.

CLERK: Mr. President, I have no E & R amendments on LB 561. I do have a series of amendments. The first, Mr. President, is from the Appropriations Committee and that amendment is found on page 1640 of the Journal.

SPEAKER MARVEL: Senator Warner.

SENATOR WARNER: Mr. President, I move adoption of the amendment. This makes no change in anything. All it does is make sure that this appropriation bill will accommodate correctly the passage of 284A, regardless what that future format of that bill might be, including the format that it is currently in. It is merely the technical amendment to accommodate whatever would occur so there wouldn't be any technical problem with either of the two bills as far as the appropriation itself is concerned. It has nothing to do with allocation. So, I would move that the amendment be adopted.

SPEAKER MARVEL: The motion is the adoption of the Warner amendment as explained by Senator Warner. All those in favor of that motion vote aye, opposed vote no. Have you all voted? Record the vote.

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

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

CLERK: Mr. President, the next amendment I have is offered by Senator Kremer and it is found on page 1640 of the Journal.

SPEAKER MARVEL: Senator Kremer. The Chair recognizes Senator Kremer.

SENATOR KREMER: Mr. Chairman, Pat, I believe I have an amendment to my amendment up there.

CLERK: Yes, sir, you do.

SENATOR KREMER: I will move the amendment. I will explain the amendment to the bill that I originally had up there and then I will explain what my amendment is. My amendment was that we change the appropriations for the development

May 5, 1981

LB 35, 76, 284A, 555

CLERK: 32 ayes, 1 nay, Mr. President, on the motion to withdraw the bill.

PRESIDENT: The motion carries. LB 555 is withdrawn. Anything further, Mr. Clerk, to read in?

CLERK: I have nothing further, Mr. President.

PRESIDENT: Ready then for agenda item #6, ready for Final Reading. Speaker Marvel, do you wish to make the motion to suspend the rules so that we may allow the bills mentioned in the agenda to be read?

CLERK: Mr. President, Senator Marvel moves to suspend Rule 6, Section 7 (b) so as to permit the reading of LB 76 and 284A today on Final Reading.

PRESIDENT: All right, Speaker Marvel.

SPEAKER MARVEL: I so move.

PRESIDENT: Any discussion on Speaker Marvel's motion to suspend the rules? If not, all those in favor vote aye, opposed nay to suspend the rules. It requires 30 votes. Have you all voted? Record the vote.

CLERK: 31 ayes, 0 nays on the motion to suspend the rules, Mr. President.

PRESIDENT: Motion carried. The rules are suspended to allow 284A to be read with LB 284. We are then ready as soon as everyone is in your place. The Sergeant at Arms will see that all unauthorized personnel are off the floor. We are on Final Reading. All right, Mr. Clerk, we will begin then with reading final reading of LB 35.

CLERK: (Read LB 35 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 35 pass with the emergency clause attached. All those in favor vote aye, opposed nay. Have you all voted? Have you all voted? Record the vote. Well we have waited for an indetermined amount of time. Everybody is here that is going to vote. How long do you have to wait? Do you want to have a roll call? All right, let's have a roll call then. I am not going to wait any longer though. All right, we will have a roll call vote, Mr. Clerk. Proceed with the roll call.

CLERK: (Read roll call vote as found on page 1743 of the Legislative Journal.)

May 5, 1981

LB 284, 284A, 384

amendment is somewhat like that offered by Senator Newell about a week ago or so, I will withdraw it in the spirit of good faith and compromise.

SPEAKER MARVEL: No objection, so ordered. Okay, Mr. Clerk.

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

SPEAKER MARVEL: Will you all return to your seats as rapidly as you can and the Clerk will begin to read the bill on Final Reading.

CLERK: (Read LB 284 on Final Reading.)

SPEAKER MARVEL: All provisions of law 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? Okay, record the vote.

CLERK: (Read record vote as found on pages 1749-1750 of the Legislative Journal.) 34 ayes, 11 nays, 2 excused and not voting, 2 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed with the emergency clause attached. Okay, the Clerk will read on Final Reading, 284A with the emergency clause.

CLERK: (Read LB 284A on Final Reading.)

SPEAKER MARVEL: All provisions of law having been complied with, the question is, shall the bill pass with the emergency clause attached. Those in favor vote aye, opposed vote no, LB 284A, emergency clause attached.

CLERK: (Read record vote as found on page 1750 of the Legislative Journal.) 36 ayes, 9 nays, 2 excused and not voting, 2 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed with the emergency clause attached. Motion on the desk.

CLERK: Mr. President, LB 384, Senator Wesely moves to return LB 384 to Select for a specific amendment. The amendment reads as follows: (Read Wesely amendment as found on page 1751 of the Legislative Journal.)

SPEAKER MARVEL: Senator Wesely.

SENATOR WESELY: Mr. Speaker, members of the Legislature, this

May 5, 1981

LB 384, 284, 284A, 76

SPEAKER MARVEL: The motion is carried. The amendment is adopted. The motion now is the advancement of the bill. All those in favor of that motion say aye, opposed no. The motion is carried. The bill is advanced. The next bill...

CLERK: Mr. President, LB 284 and 284A are ready for your signature.

SPEAKER MARVEL: While the Legislature is capable of transacting business, I am about to sign and do sign reengrossed LB 284 and reengrossed LB 284A.

CLERK: Mr. President, I have two motions on LB 76. The first is...I'm sorry. I guess I have three and, Mr. President, the first is offered by Senator Chambers. Senator Chambers would move to return the bill to add the following amendment: In case of death, injury or property damage to any innocent third party as a result of action taken by an officer in conducting a high-speed....(interruption.)

SENATOR CHAMBERS: (Mike not on.) ...amendment.

SPEAKER MARVEL: Hearing no objection, so ordered.

CLERK: Mr. President, the next one I have is offered by Senator Chambers, to return the bill to strike the enacting clause.

SPEAKER MARVEL: Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman, that amendment I do want to take up. I doubt that the votes are here for me to put the amendment on this bill that would protect innocent third parties who are hurt or killed as a result of high-speed chases. There just is not enough concern in the Legislature for the victims. So I withdrew the amendment attempting to add that to the bill. I had another amendment which was defeated in the past which would have placed certain restrictions on when chases would occur and when they ought to be terminated, primarily related to trivial offenses or traffic violations but now after reviewing the bill, the blue copy, I have found some serious problems as I read the bill. I am saying what I say for the record because somebody may be prosecuted under this piece of legislation and I think the record should be clear that on the floor of the Legislature, the issue was raised as to the possible unconstitutionality of provisions in this bill. I would want to call your attention to a case that was decided by the State Supreme Court in 1967 which invalidated another high-speed chase bill because of unconstitutional vagueness. I

RECESS

May 5, 1981

LB 209, 284, 284A,
327, 331

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Record.

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

Mr. President, right before we start, your Enrolling Clerk respectfully reports she has on this day presented to the Governor for his approval LB 327, 331, 284 and 284A.

SPEAKER MARVEL: Okay, the first order of business is where we left off on LB 209.

CLERK: Mr. President, we left off on 209, the next motion that I had was a motion to indefinitely postpone and that was signed by Senator Haberman but Senator Haberman is not yet with us so I have got a Hoagland amendment. Mr. President, while we are waiting for Senator Haberman, I have a motion from Senator Hoagland to amend the bill. (Read amendment found on page 1758, Legislative Journal.) That is offered by Senator Hoagland.

SPEAKER MARVEL: The Chair recognizes Senator Hoagland.

SENATOR HOAGLAND: Mr. Speaker and colleagues, this amendment strikes the presidential primary provisions of LB 209. It follows the recommendations of the Government Committee in reporting this bill out. I think there has been some criticism of the bill because of the amount of money that it would cost the taxpayers to schedule a special separate presidential preferential primary. I don't think that there is much support in this body for this particular aspect of LB 209 and this amendment would clean the bill up to that respect. I would be pleased to answer any questions anybody might have about it. I am sure Senator Koch would as well. I ask for your support for this amendment.

SPEAKER MARVEL: The motion before the House is the Hoagland amendment. Any further discussion? All those in favor of the adoption of the Hoagland amendment to LB 209 vote aye, opposed vote no. This is the...have you all voted? Have you all voted? Senator Hoagland, what is your pleasure.

SENATOR HOAGLAND: Yes, this amendment, Mr. Speaker, strikes the presidential preferential primary which I think has received a lot of opposition and I see that we need about 8...I hate to have a Call of the House...waiting for people to come back into the Hall from lunch so I would be content

May 6, 1981

LB 3, 284, 284A

the bill to E & R for Review. All those in favor of that motion vote aye, opposed vote no. Record.

CLERK: 30 ayes, 5 nays, Mr. President.

SPEAKER MARVEL: Okay, the motion is carried. The bill is advanced. This is to remind you that at least to begin with, well, we will meet tomorrow at 8:00. We have got three and a half hours of Final Reading. Senator Kahle, do you want to adjourn us until eight o'clock tomorrow morning. Wait a minute...just a minute. Mr.....go ahead.

CLERK: Mr. President, I have a communication from the Governor addressed to the clerk. Engrossed LBs 284 and 284A were received in my office and signed by me on May 6 and delivered to the Secretary of State. Sincerely, Charles Thone, Governor.

SPEAKER MARVEL: Senator Koch.

SENATOR KOCH: Mr. Speaker, are you being optimistic when you say Final Reading, or is it going to be General File?

SPEAKER MARVEL: No, I am talking about Final Reading.

SENATOR KOCH: Well, we have done a lot of General File on Final Reading and I hope we really read tomorrow. I'm trying to help you out, sir.

SPEAKER MARVEL: Your point is well taken. Thank you, sir. Senator Vard Johnson, your light is on. Senator Kahle.

SENATOR KAHLE: Mr. Speaker and members, I move that we adjourn until eight o'clock tomorrow morning. I would also request that we be allowed to check in tonight. Forget the last part of it.

SPEAKER MARVEL: We are adjourned until eight o'clock tomorrow morning. All those in favor say aye. Opposed no. Motion is carried. We are adjourned until eight o'clock tomorrow morning.

Edited by Arleen McCrory
Arleen McCrory