

January 19, 1981

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: The prayer this morning will be given by Reverend Roe, the United Methodist Minister affiliated with the Trinity Methodist Church in Lincoln, Nebraska. Reverend Roe.

REVEREND ROE: Prayer offered.

SPEAKER MARVEL: Roll call. Item #3. Will you please record your presence if you haven't already. Record your vote.

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

SPEAKER MARVEL: Ready for item #3?

CLERK: Yes, sir. Mr. President, first of all, corrections to the Journal. (Read corrections to the Journal as found on page 220 of the Legislative Journal.)

Mr. President, I have an Attorney General's Opinion addressed to Senator Sieck regarding LB 58. (See pages 220 and 221 of the Legislative Journal.) I have a series of reports, the first from Frank Marsh, the State Treasurer, regarding the detailed statement of the condition of the State Treasury.

Mr. President, a communication from the Metropolitan Technical Community College regarding LB 1004; a communication from the State Department of Correctional Services regarding program evaluation of the therapeutic community at the Lincoln Correctional Center.

Mr. President, a deposit or communication from David O. Coolidge who is the Director-State Engineer of the Department of Roads pursuant to LB 722. Those will all be on file in my office, Mr. President.

Mr. President, your Committee on Constitutional Revision and Recreation gives notice of public hearing in Room 1019 for January 30, February 5 and February 6. (Signed) Senator Labeledz as Chairperson.

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

CLERK: Mr. President, new bills: Read title to LB 284-309 as found on pages 223 through 228 of the Legislative Journal.

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.

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LB 250, 302

SPEAKER MARVEL: The motion is carried. The committee amendment is adopted. Senator Labeledz.

SENATOR LABEDZ: Thank you, Mr. Speaker. The Nebraska Commission for the Hearing Impaired has been providing services to the hearing impaired people in Nebraska for almost a year now and their track record is very encouraging but in the year of meetings they did come up with some changes and the committee amendments, of course, were added which they approve of. A couple of other changes, it reduces the number of meetings for a year from six to four and it changes the election for chairperson from every year to every two years. Also changes the wording where the Commission shall appoint the Executive Director to serve with the advice and consent of the Commission and it changes the language authorizing the Commission to maintain a list or statewide list of interpreters. Section 6 also removes the provision requiring the Commission on the Hearing Impaired to cooperate with the State Department of Education and changes it to any state agency having authority relating to the problems of the hearing impaired. These changes would allow the Commission on the Hearing Impaired to more adequately carry out its legislative mandate. I urge the advancement of LB 250 as amended.

SPEAKER MARVEL: Okay, the motion is to advance the bill, LB 250, to E & R for review. All those in favor vote aye, opposed vote no. Record the vote. No, I am sorry. Have you all voted? Record the vote.

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

SPEAKER MARVEL: The motion is carried. The bill is advanced. LB 302.

CLERK: Mr. President, LB 302 (read title). The bill was read on January 19, referred to Public Works, advanced to General File. There are committee amendments by the Public Works Committee, Mr. President.

SPEAKER MARVEL: Senator Wesely, do you wish to speak to the committee amendments?

SENATOR WESELY: Yes. Mr. Speaker, members of the Legislature, LB 302 was introduced by myself and heard by the Public Works Committee. With the committee amendments which are now before you we did work with the industry to try and work out some of their concerns. Although they supported

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LB 301

strongly the bill, they wanted these committee amendments. The amendments do a number of things. First off, we require that the Power Review Board publish a twenty year power supply plan but we do say that they have flexibility and that it is we are looking at a long range plan and the Nebraska Power Association is looking more like a twenty-five year power supply plan is what they think is a better step to take so we allow some flexibility with the committee amendments to try and have a twenty year power supply plan but they might be able to make it a little longer than that. The next we changed so that the Power Review Board is to appoint a representative group of the electrical industry to conduct this study and prepare the plan. That is in the original bill but we clarify that. Third, we say that the Power Review Board will do the study only if the representative group is unavailable or unwilling to do it themselves, and then if the Board does it, they can levy an assessment on the industry to pay for the plan and this is just sort of a last resort if the industry, which is already trying to work on this power supply plan, doesn't come through, then the Board would have the authority to do it and then levy the industry for doing it for them, and then lastly, we require that the Power Review Board have a public hearing on the plan when it is released and then we also make it clear in the committee amendments that we are looking at a twenty year power supply plan that would be updated annually but not redone annually, just sort of looking at new statistics, improved upon each year. So that is the committee amendments to the bill and they have the support of the power industry.

SPEAKER MARVEL: We are voting on the adoption of the committee amendment to LB 301 as explained by Senator Wesely. All those in favor vote aye, opposed vote no. Have you all voted? Have you all voted? Record.

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

SPEAKER MARVEL: The amendments are adopted. Senator Wesely, do you wish to explain the bill?

SENATOR WESELY: Yes. Senator Rumery is anxiously awaiting for an explanation of the bill so I will hesitate no longer. What we have is a situation where the Nebraska Power Association has I think in the last year started to try and develop a long range statewide power supply plan for the state and that has been very much appreciated. Now this effort I think has been tried in the past. Earlier this decade they tried to...I should say last decade tried to do the same thing and

it kind of fell apart in time. We have a very high degree of cooperation in the industry this time and they are trying to work together and I think while things are going well and while they are moving ahead in this area, instead of anticipating that there won't be any problems because we have seen that in the past although things may start out well sometimes they don't end well, we are saying that we want to put in the statute that they will do this, that they will annually take a look at the situation and make adjustments in that plan and thus update it although they don't have to redo the whole thing every year. We don't want that to be the case and they supported this. They want to have this statutory authority and I think recognition of the fact that they are working on this and getting the job done, and so the Nebraska Power Association supports the bill with the amendments. All the utilities support the bill that I know of with the amendments and they encourage this effort because it says to them we want you to do the power supply planning, we want you to work together and develop for the first time a statewide power supply plan. Now when many of you are talked to about the fact that when you conserve energy all of a sudden our rates go up because you plan for more energy and you conserve and you have the same amount of revenues so our rates go up, that is not fair. The best way we can deal with that argument is to pass this bill, because if we properly plan so that we take into consideration conservation and other factors as best we can and try and recognize the fact that things are shifting all the time and plan properly, we won't be caught in that situation where by conserving energy we actually end up paying about the same amount of money because rates go up. So I think this is really an important bill for the power industry and I think it is important for utility rates and again I worked with the power industry. They support the bill and encourage your support as well.

SPEAKER MARVEL: Senator Vickers, your light is on.

SENATOR VICKERS: Yes, Mr. Chairman, members, I would like to ask Senator Wesely a question, if he would yield please. Senator Wesely, in the bill now as I understand it, it indicates that the identification of all transmission lines located or authorized for construction within the state that have a rate capacity of at least 230 megavolts and then it further goes ahead and says identification of all additional planned electric generation and transmission requirements needed to serve estimated power supply demands within the state for a period of twenty years. Now where it talks about transmission requirements, in that section, is that referring to the 230 megavolt size?

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LB 302

SENATOR WESELY: Yes, that is the size of the line.

SENATOR VICKERS: In other words, the 230 megavolt size that it talks about under subsection (b) is also included... would be included with all of the other references to transmission lines in the other subsections, is that correct?

SENATOR WESELY: Yes, that is correct.

SENATOR VICKERS: Thank you, Senator Wesely. I will support this bill but I wanted to get that in as a matter of record that that was the size of transmission line you were talking about throughout the rest of the sections. Thank you very much.

SPEAKER MARVEL: Senator Cope.

SENATOR COPE: Mr. President, members a question of Senator Wesely. Senator Wesely, do you recall why Rex Carpenter of the rural electric opposed this bill?

SENATOR WESELY: Senator Cope, he opposed the original draft and I think one of the reasons he was concerned was in the original draft we had a section on conservation that said that before you could be granted a permit for a new plant or something they had to review conservation efforts that you had undertaken and take a look at that as a criteria. We deleted that and replaced it with a power industry supported amendment which was included in the committee amendments which just said that they will report as part of their power supply plan different conservation efforts undertaken by the power industry and felt that that would be a good step to take to inform other power entities of what is being done across the state for conservation. So I think with that change, I don't see where they would have any problem but that was the one I think they had with the bill as introduced and we took care of that.

SENATOR COPE: Thank you.

SPEAKER MARVEL: Motion is to advance 302 as amended. All those in favor of the motion to advance the bill vote aye, opposed vote no. Have you all voted? The motion is to advance 302 as amended. Have you all voted? Have you all voted? Senator Wesely.

SENATOR WESELY: I can't believe that we have that many absent.

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LB 307, 396

SPEAKER MARVEL: Record.

CLERK: 27 ayes, 7 nays on the motion to advance the bill, Mr. President.

SPEAKER MARVEL: The motion is carried. The bill is advanced. The next bill is 396.

CLERK: Mr. President, LB 396 (read title). The bill was read on January 20, referred to Ag and Environment for hearing. It was advanced to General File. There are committee amendments pending by the Agriculture and Environment Committee, Mr. President.

SPEAKER MARVEL: Senator Schmit, do you wish to...LB 396 which has to do with...Senator Carsten's bill on adoption of agricultural lime testing and we need the committee amendments.

SENATOR SCHMIT: Mr. President, members of the Legislature, I am going to let Senator Carsten explain the committee amendments because they basically constitute the bill and it is his bill and I don't want to take anything from him, and I wasn't at the hearing.

SPEAKER MARVEL: Senator Carsten.

SENATOR CARSTEN: Mr. President, members of the Legislature, you are most kind, Senator Schmit. I appreciate that. Mr. Speaker and members of the Legislature, LB 396 as amended by the Agriculture and Environment Committee does make some changes from the original bill but I accept them believing them to be to the advantage of the bill. They amend to lessen the regulatory burden of the original bill and to also clarify some of the provisions. Changes include the reduction of the licensing fee from \$25 to \$5 to be paid by the manufacturer, a requirement of a labeled package of liming material stating quality and quantity information, registration of all liming material with the Department of Agriculture, optional testing by the Department and reporting by net tonnage annual sales by the registrants and the licensees. Mr. President, I move for the adoption of the committee amendments.

SPEAKER MARVEL: Motion is the adoption of the committee amendments as explained by Senator Carsten. Record the vote.

CLERK: 25 ayes, 0 nays, Mr. President, on adoption of the committee amendments.

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LB 70, 163, 172, 184, 242, 250,  
285, 302, 310, 324, 369, 375, 494,  
497, 527, 557, 558, 559, 560, 561, 562.

aye, opposed vote no. Have you all voted? Senator Burrows.

SENATOR BURROWS: I would like a Call of the House and a roll call vote.

SPEAKER MARVEL: The first motion is, shall the House go under Call? All those in favor of that motion vote aye, opposed vote no. Record.

CLERK: 16 ayes, 1 nay to go under Call, Mr. President.

SPEAKER MARVEL: The Legislature is under Call. Please return to your seats. Record your presence. Senator Burrows, do you want to record....Senator Kahle, Senator Hefner, Senator Goodrich, Senator Wagner, Senator Landis, Senator Newell, Senator Chambers, Senator Pirsch, Senator Labedz, Senator Higgins. While we are waiting, under the north balcony Mr. Jack Fletcher and his son, Monte, Jack is a former resident of Lincoln County, Nebraska, and now lives in Upland, California, and they are guests and friends of Myron Rumery. And from Senator Remmers' District, 14 students from Tablerock, Nebraska, Mrs. Griffith, teacher. Should be in the north balcony. Are they?

CLERK: Mr. President, while we are waiting, your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 163 and find the same correctly engrossed, 557, 558, 559 and 560, 561, 562, all correctly engrossed. (Signed) Senator Kilgarin. Your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 242 and recommend that same be placed on Select File, 494 Select File with amendments, 369 Select File, 310 Select File with amendments, 497 Select File with amendments, 250 Select File, 302 Select File with amendments, 70 Select File with amendments, 285 Select File with amendments, 324 Select File with amendments. (See pages 1771 through 1773 of the Legislative Journal.) Mr. President, Senator Schmit, Kremer, Chronister and VonMinden move to place LB 375 and 377 on General File pursuant to Rule 3, Section 18(b). Senator Carsten would like to print amendments to LB 172, and Senator Lamb to LB 285. (See pages 1769 through 1771 of the Legislative Journal.)

SPEAKER MARVEL: Senator Labedz, Senator Higgins, Senator Chambers, Senator Goodrich. Senator Burrows, do you want to start the roll call? We have four that still are unaccounted for.



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LR 158-163  
LB 134, 302, 435

before we recess.

CLERK: Mr. President, new resolutions, study resolutions, LR 158 by Senator Hoagland, the purpose being to study alternative methods of organization and structure for governing Nebraska's postsecondary school institutions. LR 159 by Senator Hefner, the purpose being to examine existing election procedures relating to initiative, referendum and recall. LR 160 by Miscellaneous Subjects. The purpose of the study being the evaluation of the Nebraska Political Accountability and Disclosure Commission and Act. LR 161, Senator Sieck, the purpose being to study the problem of unpaid utility bills, to determine if legislation is needed. LR 162 by Senator Cullan, the purpose of the study being to examine existing retail alcoholic beverage regulations and retail licensing structure in the state. LR 163 by Senators Landis, Beutler, Wesely, the purpose of the study being to examine the eligibility for the homestead exemptions for the disabled based on income. (See pages 1865-1869, Journal.)

Mr. President, your committee on Urban Affairs whose Chairman is Senator Landis reports LB 435 to General File with amendments.

And, Mr. President, Senator Wagner would like to print amendments to LB 302 in the Journal.

Mr. President, I have an Attorney General's opinion addressed to Senator Beutler regarding LB 134.

SPEAKER MARVEL: Senator Clark, do you want to recess us until one-thirty?

SENATOR CLARK: Mr. President, I move we recess until one-thirty today.

SPEAKER MARVEL: Motion is to recess until one-thirty. All those in favor of that motion say aye, opposed nay. Motion carried. We are recessed until one-thirty.

Edited by:

  
Mary A. Turner

May 11, 1981

LB 165, 302, 320, 336

CLERK: (Read roll call vote as found on page 1908 of the Legislative Journal.) 26 ayes, 21 nays, Mr. President, on the motion to adopt.

SENATOR CLARK: The amendment is adopted. Senator Warner, do you want to readvance the bill? The motion is to readvance LB 165 to E & R. All those in favor vote aye. All those opposed vote no. I am going to take a vote on it. It is too close. Record the vote. It didn't turn out to be that close.

CLERK: 34 ayes, 0 nays, Mr. President, on the motion to readvance the bill.

SENATOR CLARK: The bill is readvanced. The Chair is going to recognize Senator Marvel.

SPEAKER MARVEL: I would like to report that we will continue with the present agenda and at about a quarter to twelve we will recess and begin the reading of LB 204. We go back to the original... Pardon me? Okay, all right. We will start reading it at about a quarter to eleven. Quarter to twelve, okay.

SENATOR CLARK: You are going to start reading at quarter to eleven on 204 ?

SPEAKER MARVEL: Pardon me? Pat, do you want to tell him.

SENATOR CLARK: At a quarter to twelve you are going to start reading 204. All right. The Clerk will read 336.

CLERK: Mr. President, if I may right before that, Senator Wagner has amendments to 302 and Senator Cullan to 320 that they would like printed in the Journal. (See pages 1908-1911 of the Legislative Journal.)

Mr. President, I have a motion on 336. Senator Stoney would move to return LB 336 to Select File for a specific amendment. (Read Stoney amendment as found on page 1911 of the Journal.)

SENATOR CLARK: Senator Stoney.

SENATOR STONEY: Mr. President, members of the Legislature, the Talking Book Program here in the state receives a state appropriation of funding which represents approximately 47% of their budget and for those of you who were here in 1979, you will recall that LB 124 was passed and at that time I offered an amendment to limit the funding so that we would have an oversight subsequently with funding and the similar bill was heard before the Education Committee this year to continue the funding

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LB 494, 302

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

SENATOR CLARK: The motion before the House is the advancement of LB 494. All those in favor say aye, opposed nay. The bill is advanced. LB 302.

CLERK: Mr. President, there are E & R amendments to LB 302.

SENATOR CLARK: Senator Kilgarin.

SENATOR KILGARIN: I move the E & R amendment to LB 302.

SENATOR CLARK: You have heard the motion. All those in favor say aye, opposed. The E & R amendments are adopted. Do you have anything further on the bill?

CLERK: Yes, sir. Mr. President, I now have an amendment from Senator Wagner on page 1806 that I understand you wish to withdraw, Senator. Is that right?

SENATOR WAGNER: The one on 1876 and also the one on 1908. The one I would like to discuss is on 2009.

CLERK: Yes, sir, bear with me just a minute, Senator, while I sort through this, please. Okay, Mr. President, Senator Wagner then has an amendment found on page 2009 of the Legislative Journal.

SENATOR CLARK: Senator Wagner.

SENATOR WAGNER: Well those two previous amendments were really kind of a combination then and they are all put in on this one on 2009 and really what it does, they are both technical. There are two parts to it. They are technical in nature because on the first one they talk about megavolts. We do not have any lines in the State of Nebraska that has got megavolts so really it needed to be kilovolts and the other one was, striking some language in there that should have been stricken in LB 181 and essentially this is all it does. They are both technical in nature. I would urge your adoption.

SENATOR CLARK: Is there any discussion on the amendments? If not, all those in favor vote aye. All those opposed vote nay. Voting aye. Record the vote.

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

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

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LB 302, 285

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

SENATOR CLARK: Senator Wesely.

SENATOR WESELY: I move it be advanced.

SENATOR CLARK: You have heard the motion. All those in favor say aye, opposed no. The bill is advanced. LB 285.

CLERK: Mr. President, LB 285, I have a series of amendments. First are E & R amendments to the bill, Mr. President.

SENATOR CLARK: Senator Kilgarin.

SENATOR KILGARIN: I move the E & R amendments to LB 285.

SENATOR CLARK: You have heard the motion. All those in favor say aye, opposed no. The E & R amendments are adopted. The first motion.

CLERK: Mr. President, the next motion I have is from Senator Lamb. Senator Lamb's amendments, Mr. President, are on page 1769 of the Journal.

SENATOR CLARK: Senator Lamb.

SENATOR LAMB: Mr. President and members, I am adding four words to the statute. Currently mobile homes sixteen feet wide move during daylight hours. This adds the words, "or prefabricated livestock buildings" also the same width. It is a very simple amendment. It puts prefabricated livestock buildings on the same basis as the mobile home, the same width, same everything. I urge the adoption.

SENATOR CLARK: Is there any discussion on the Lamb amendment? If not, all those in favor vote aye, all those opposed vote nay.

CLERK: Senator Clark voting yes.

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

CLERK: 25 ayes, 6 nays on adoption of Senator Lamb's amendment, Mr. President.

SENATOR CLARK: Senator Lamb's amendment is adopted. The next amendment.

CLERK: Mr. President, the next amendment is offered by Senator Fowler.

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LB 12, 172, 242, 302, 321,  
344, 376, 411, 488, 494

SPEAKER MARVEL: The House is under Call. All legislators should be in their seats and record your presence. Senator Burrows, will you record your presence? Senator Koch, will you record your presence? Senator Schmit, will you record your presence? Senator Remmers. Mr. Sergeant at Arms, we have two excused and we need to find Senator Schmit. After we have completed this activity, will you please remain. We have an announcement to make. Senator Newell, are you ready for the roll call. Do you want a roll call vote? Okay, call the roll.

CLERK: (Roll call vote taken. See page 2313, Legislative Journal.) 23 ayes, 25 nays, Mr. President.

SPEAKER MARVEL: The motion lost. May I have the attention of the Legislature for just a moment. I would like to read a statement. "The Governor has notified us that he will act on all legislation by Friday, May 29th. Through the Governor's cooperation in taking this prompt action, it will enable us to meet on Friday, May 29, 1981, and adjourn sine die that day." It is now my recommendation that we continue with our original calendar and meet this Friday and adjourn that date sine die. I believe this accommodates most of the members desires. However, please understand that all bills not correctly engrossed at the start of business today, the 88th Day, cannot be considered on Final Reading until the final date, the 90th Day. This proposal allows us to accomplish all goals set forth for this legislative session. If you have questions, I would suggest that you talk either to Senator Lamb or to Mr. O'Donnell. Do you have something you wish to read in?

CLERK: Yes, sir. Mr. President, your committee on Enrollment and Review respectfully reports that they have carefully examined and engrossed LB 172 and find the same correctly engrossed; 242, 302, 321, 344, 411, 488, and 494 all correctly engrossed. (Signed) Senator Kilgarin.

Mr. President, I have an Attorney General's opinion addressed to Senator Lamb regarding LB 376.

SPEAKER MARVEL: Underneath the South balcony, it is my privilege to introduce as a guest of Senator Jim Goll his daughter visiting from San Francisco, Mrs. Sarah Goll Haskell. Where are you located? Will you please stand up so we can see where you are? Welcome to the Unicameral. What is the next order of business, Mr. Clerk?

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LB 285, 302, 321

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 285 pass. All those in favor vote aye, opposed nay. Record the vote.

ASSISTANT CLERK: (Read record vote as found on page 2395 of the Legislative Journal.) 40 ayes, 9 nays, and all members were voting.

PRESIDENT: LB 285 passes. The next bill on Final Reading, Mr. Clerk, is LB 302.

ASSISTANT CLERK: (Read LB 302 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 302 pass. All those in favor vote aye, opposed nay. Record the vote.

ASSISTANT CLERK: (Read record vote as found on pages 2395-2396 of the Legislative Journal.) The vote is 37 ayes, 10 nays, 2 present and not voting, Mr. President.

PRESIDENT: LB 302 passes. The next bill on Final Reading is LB 321.

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

PRESIDENT: Motion on the desk, read the motion.

ASSISTANT CLERK: Mr. President, Senator Beutler moves to bracket LB 321 to the time uncertain.

PRESIDENT: The Chair recognizes Senator Beutler.

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, I am just going to get up a couple of times today and they are both on what I consider to be extremely important policy matters that have come to my attention just in the last day or two. With regard to this bill you may recall it is the bill that creates a Educational Facilities Authority which is allowed to issue tax exempt bonds on behalf of private institutions, both religious and nonreligious institutions for the purposes of helping them finance capital construction projects essentially. Today, this morning, I received from the Attorney General a reply to a request for an opinion which I had sent out last week. That reply has been passed around to you and it should be on your desk and the reply says two things. Basically it says that in the opinion of the Attorney General it would appear that Section 3 of Article VIII, of Article XIII of the Constitution of the

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want to take one more bill then? Okay, fine. Have you all voted? Record the vote.

CLERK: (Read record vote as found on pages 2406-2407 of the Legislative Journal.) 37 ayes, 8 nays, 2 excused and not voting, 2 present and not voting, Mr. President.

PRESIDENT: LB 352 passes with the emergency clause attached. The next bill on Final Reading before the break for lunch is LB 385.

ASSISTANT CLERK: (Read LB 385 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 385 pass. All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Read record vote as found on pages 2407-2408 of the Legislative Journal.) 29 ayes, 14 nays, 2 excused and not voting, Mr. President, 4 present and not voting.

PRESIDENT: LB 385 passes. If you would read some matters in and then we will get ready for recess.

CLERK: Mr. President, a letter from the Governor addressed to the Clerk. (Read. Re. LB 406, 548, 389 as found on page 2409 of the Legislative Journal.)

Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined LB 321 and find the same correctly enrolled.

Mr. President, I have a veto message from the Governor addressed to Dear Mr. President and Senators. (Read. Re. 129A. See page 2408 of the Legislative Journal.)

Mr. President, finally LB 95, 95A, 172, 218, 234, 234A, 235, 302, 389A, 318, 344 and 352 are ready for your signature.

PRESIDENT: While the Legislature is in session and capable of transacting business I propose to sign and I do sign LB 95, LB 95A, LB 172, LB 218, LB 234, LB 234A, LB 285, LB 302, LB 318, LB 344 and LB 352. Well, let's let somebody... Senator Marsh, do you wish to recess us until one-thirty.

SENATOR MARCH: I move we recess until one-thirty.

PRESIDENT: The motion is to recess until one-thirty. Any... All those in favor to recess until one-thirty signify by saying aye, opposed nay. We are recessed until one-thirty.