

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 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

May 1, 1981

LB 544, 303

SENATOR CLARK: Record the vote.

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

SENATOR CLARK: The bill is advanced. The next bill is 303. Is there anyone prepared to take that bill? It is Senator Beutler's bill. Senator Koch, are you prepared to take 303?

SENATOR KOCH: Yes, Senator Beutler has requested that I handle it in case we got to it today and I will.

SENATOR CLARK: All right, the Clerk will read.

CLERK: Mr. President, if I may, LB 303 (read title). It was originally read on January 19, referred to the Education Committee for hearing. The bill was advanced to General File with committee amendments attached, Mr. President.

SENATOR CLARK: On the committee amendments, Senator Koch.

SENATOR KOCH: Because it is...the whole purpose of the bill is to correct some problems we have when school boards have vacancies and Senator Beutler's bill brings about a uniform procedure and we follow in the school boards primarily what we follow in our own cases here. In case there is an appointment, then the next election you would run and that is the way the procedure goes. It is uniform for all systems except the Class Is. As you know the Class I schools presently have an annual meeting and by caucus select the members of those boards. In this case it says in case of vacancy the board members will appoint the person who will serve until the next annual meeting at which time he would continue that position or someone would replace that person. So that is what LB 303 is about and I ask for adoption of the amendment and the advance of the bill to E & R Initial.

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

CLERK: Senator Clark voting aye.

SENATOR CLARK: Have you all voted on the committee amendments. Record the vote.

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

May 1, 1981

LB 216, 303

SENATOR CLARK: The motion carried. The committee amendments are adopted. On the bill itself, Senator Koch, do you move for the advancement?

SENATOR KOCH: I move for the advancement of LB 303, as amended, to E & R Initial.

SENATOR CLARK: Is there any discussion on the advancement of 303 to Initial? If not, all those in favor vote aye, all those opposed vote nay. Voting aye.

CLERK: Senator Clark voting aye.

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

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

SENATOR CLARK: The motion carried. The bill is advanced. The next bill is 216.

CLERK: Mr. President, LB 216 introduced by the Ag and Environment Committee and signed by its members. (Read title.) The bill was read on January 15, referred to Ag and Environment for hearing. The bill was advanced to General File with the committee amendments attached, Mr. President.

SENATOR CLARK: Senator Schmit on the committee amendments.

SENATOR SCHMIT: Mr. President and members of the Legislature, basically all the committee amendments do is to exempt radioactive waste from the provisions of the bill and the reason for that is that those wastes are already regulated by the Department of Health. And I move the adoption of the committee amendments.

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

CLERK: Senator Clark voting aye.

SENATOR CLARK: Record the vote.

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

SENATOR CLARK: The committee amendments are adopted. On the bill itself, Senator Schmit.

May 7, 1981

LR 116
LB 172, 216, 303, 322, 344,
411, 529, 529A, 559, 160, 161

of the Chamber. That's the big thing. All right, we will proceed then, Mr. Clerk, with the reading of LB 559.

CLERK: (Read LB 559 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 559 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Read the record vote as found on page 1813 of the Legislative Journal.) 42 ayes, 1 nay, 6 excused and not voting, Mr. President.

PRESIDENT: LB 559 passes with the emergency clause attached. You may read some things in, Mr. Clerk.

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined LB 303 and recommend that same be placed on Select File; LB 216, Select File; LB 322, Select File with amendments; 411, Select File with amendments; 344, Select File with amendments; 172, Select File with amendments; LB 529, Select File, with amendments; LB 529A, Select File with amendments. (See pages 1815 through 1817 of the Legislative Journal.) Mr. President, new resolution, LR 116, offered by Senator Rumery. (Read LR 116 as found on page 1815 of the Legislative Journal.) Mr. President, that will be laid over pursuant to our rules. That's all that I have, Mr. President.

PRESIDENT: We will proceed then, Mr. Clerk, with LB 160.

CLERK: (Read LB 160 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 160 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Read the record vote as found on page 1814 of the Legislative Journal.) 43 ayes, 1 nay, 5 excused and not voting, Mr. President.

PRESIDENT: LB 160 passes with the emergency clause attached. The next bill on Final Reading is LB 161.

CLERK: (Read LB 161 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure

May 8, 1981

LB 224, 303, 316, 441,
485

SENATOR KILGARIN: Mr. Speaker, the introducer wishes to pass over LB 487 at this time.

SPEAKER MARVEL: Then the next bill is 316.

SENATOR KILGARIN: I move the E & R amendments to LB 316.

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

SENATOR KILGARIN: I move we advance LB 316 to E & R for engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. Motion is carried. The bill is advanced. The next bill is 441.

SENATOR KILGARIN: I move to adopt the E & R amendments to LB 441.

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

SENATOR KILGARIN: I move we advance LB 441 to E & R for engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. The motion is carried. LB 441 is advanced. LB 224.

SENATOR KILGARIN: I move we advance LB 224 to E & R for engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. Motion is carried. The bill is advanced. LB 485.

SENATOR KILGARIN: I move the E & R amendments to LB 485.

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

SENATOR KILGARIN: I move we advance LB 485 to E & R for engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. Motion is carried. The bill is advanced. Then we go next to LB 303, Senator Kilgarin.

SENATOR KILGARIN: I move the E & R amendments to LB 303.

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

May 8, 1981

LB 303, 322, 411,
529, 529A

SENATOR KILGARIN: I move we advance LB 303 to E & R for engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. The motion is carried. The bill is advanced. LB 216? Okay, 322, Senator.

SENATOR KILGARIN: I move the E & R amendments to LB 322.

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

SENATOR KILGARIN: I move we advance LB 322 to E & R for engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. Motion is carried. The bill is advanced. LB 411.

SENATOR KILGARIN: I move the E & R amendment to LB 411.

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

SENATOR KILGARIN: I move we advance LB 411 to E & R for engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. Motion is carried. The bill is advanced. 529.

SENATOR KILGARIN: I move the E & R amendments to LB 529.

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

SENATOR KILGARIN: I move we advance LB 529 to E & R for engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. Motion is carried. The bill is advanced. LB 329A.

SENATOR KILGARIN: 529A, sir?

SPEAKER MARVEL: I am sorry, 529A, right.

SENATOR KILGARIN: I move we advance LB 529A to E & R for engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. Motion is carried. The bill is advanced. Thank you, Senator Kilgarin. Now the Clerk has some items to read

LB 118, 129A, 165, 181, 224, 234, 234A,
273, 273A, 303, 326, 336, 360, 394,
396, 411, 459A, 485, 551 - 554

May 12, 1981

favor vote aye. All those opposed vote nay.

CLERK: Senator Clark voting aye.

SENATOR CLARK: Have you all voted on the adoption of the committee amendments? Once more, have you all voted on the adoption of the committee amendments. Record the vote.

CLERK: 27 ayes, 4 nays, Mr. President, on adoption of the committee amendments.

SENATOR CLARK: The committee amendments are adopted. Now on the bill itself, Senator Maresh.

SENATOR MARESH: Mr. Chairman, I move that LB 118 be advanced to E & R Initial.

SENATOR CLARK: Is there any discussion on the advancement of the bill? If not, all those in favor vote aye. All those opposed vote nay.

CLERK: Senator Clark voting aye.

SENATOR CLARK: Record the vote.

CLERK: 25 ayes, 1 nay, Mr. President, on advancement of the bill.

SENATOR CLARK: The bill is advanced. The Clerk wants to read some things in.

CLERK: Mr. President, new A bill, 129A offered by Senator Nichol. (Read LB 129A for the first time.)

Mr. President, Miscellaneous Subjects gives notice of hearing for Tuesday, May 19 on LB 551, 552, 553 and 554. And that is signed by Senator Hefner as Chair.

Mr. President, I have a reference report from the Executive Board referring legislative resolutions for interim study. That will be referred to in the Journal. (See pages 1966 through 1973 of the Journal.)

Mr. President, your committee on Enrollment and Review respectfully reports that they have carefully examined and engrossed LB 165 and find the same correctly engrossed; 181, 224, 234, 234A, 273, 273A, 303, 326, 336, 360, 394, 396, 411, 459A, 485, all those reported correctly engrossed, Mr. President. (See pages 1974 through 1977 of the Legislative Journal.)

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LB 234, 303, 326, 336

you record your presence. Senator Burrows, would you record your presence. Will all legislators please take your seats so we can proceed with the roll call vote. Call the roll.

CLERK: Roll call vote. 18 ayes, 24 nays, 1 present and not voting, 6 excused and not voting. Vote appears on pages 2098-2099 of the Legislative Journal.

SPEAKER MARVEL: Motion lost. Clerk will read on Final Reading LB 303.

CLERK: Read LB 303 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 303 on Final Reading. Have you all voted? Record the vote.

CLERK: 43 ayes, 0 nays, 6 excused and not voting. Vote appears on page 2099 of the Legislative Journal.

SPEAKER MARVEL: The bill is declared passed on Final Reading. The next bill, 326E, if there are no objections the two principal's are working out an agreement and they would like to have the bills passed over for one time. Is that right Senator Hoagland? Okay, if there is no objection we will go then to LB 336 on Final Reading.

CLERK: Read LB 336.

SPEAKER MARVEL: All provisions of law having been complied with, the question is, shall the bill pass, LB 336. Those in favor vote aye, opposed vote no. Senator Stoney.

SENATOR STONEY: I have a question of the Clerk. It was my understanding when I offered an amendment to this bill that we were changing the date of December 31, 1983, to correspond with the fiscal year of June 30, 1984. Now I think that should be consistent in LB 336 as it is in 336A, and I would like a ruling on that please.

SPEAKER MARVEL: Record the vote.

CLERK: 42 ayes, 0 nays, 1 present and not voting, 6 excused and not voting. Vote appears on page 2100 of the Legislative Journal.

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LB 243, 165A, 181, 316, 485
322, 336, 336A, 352, 303
412, 459, 459A, 523

they would prefer that it were more restrictive. All I am asking is that we give some kind of a guideline, some kind of direction and that we do it in a manner which is not going to be, I'm sure, restrictive to the operations of the Natural Resource Districts. I would hope that you would advance the bill. Mr. President, again I ask for a Call of the House and a roll call vote.

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

CLERK: 15 ayes, 0 nays to go under Call, Mr. President.

SPEAKER MARVEL: The House is under Call. All legislators return to your seats, record your presence. Unauthorized personnel please leave the floor. Sergeant at Arms, we are looking for Senator Newell, Senator Lamb, Senator Haberman, Senator Marsh. We have one excused. Senator Newell and Senator Marsh. Senator Schmit, okay, call the roll.

CLERK: Roll call vote. 27 ayes, 13 nays, 6 present and not voting, 1 excused and not voting, 2 absent and not voting. Vote appears on page 2111 of the Legislative Journal.

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

CLERK: Mr. President, some items to read in. Senator Hefner wants a meeting of the Miscellaneous Subjects Committee in Room 2102 at noon.

Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 412 and recommend the same be placed on Select File, 352 Select File, 523 Select File with amendments all signed by Senator Kilgarin.

Your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed 316 and find the same correct engrossed and 322 correctly engrossed, (Signed) Senator Kilgarin.

Mr. President, the bills that were read on Final Reading this morning are ready for your signature.

SPEAKER MARVEL: While the Legislature is in session and capable of transacting business I am about to sign and do sign Engrossed LB 181, 165A, 303, re-engrossed LB 336, Engrossed 336A, 459, re-engrossed legislative bill 459A, Engrossed Legislative Bill 485.

May 19, 1981

LB 134, 165, 165A, 181, 186,
303, 336, 336A, 459, 459A,
485, 488, 544

It is printed, I am sorry. Mr. President, Senator Vickers would like to print amendments to LB 186. (See page 2119 of the Legislative Journal.)

Mr. President, your Enrolling Clerk has presented to the Governor the bills that we read on Final Reading this morning. (Re: LB 181, 165, 165A, 303, 336, 336A, 459, 459A and 485.)

Mr. President, Education offers a hearing notice for confirmation hearings regarding certain gubernatorial appointments.

Mr. President, Senator Vickers would like to print amendments to LB 544. (See pages 2116-2118 of the Legislative Journal.)

And finally, Mr. President, one last thing, Mr. President, Senator DeCamp asks unanimous consent to add his name to LB 134 as cointroducer.

SENATOR CLARK: No objections, so ordered. I think they are trying to find our Sergeant at Arms out there. Walt (Robbie) Robinson is visiting the Legislature today, the former Sergeant at Arms. He is at the back of the Chamber. Welcome, Robbie. We will now take up LB 488.

CLERK: Mr. President, LB 488 was a bill introduced by Senator Goodrich. (Read.) The bill was first read on January 20. It was referred to the Government, Military and Government Affairs Committee. The bill was advanced to General File. There are committee amendments pending by the Government Committee, Mr. President.

SENATOR CLARK: Senator Kahle, the committee amendments.

SENATOR KAHLE: Mr. President and members, I move the committee amendments and the committee amendments do considerable with the bill. LB 488 increases the salaries for constitutional officers for the next...(interruption)

SENATOR CLARK: (Gavel.) Could we have it a little quiet, please. It is awfully hard to hear up here.

SENATOR KAHLE: LB 488 increases the salaries for constitutional officers for the next four year term of office beginning in January of 1983. The offices are for the Governor, the Lieutenant Governor, Secretary of State, Attorney General, Auditor of Public Accounts and State Treasurer. The bill as introduced set a base salary for each officer plus Section 3

May 22, 1981

LR 188
LB 179, 181, 252, 273, 273A, 303, 322,
346, 376, 381, 384, 389, 441, 451, 470, 472A
485, 497, 501, 543, 512, 552, 545, 553, 554.

Senator DeCamp. All those in favor vote aye. All those opposed vote nay. It takes 30 votes.

CLERK: Senator Clark voting no.

SENATOR CLARK: Have you all voted? Once more, have you all voted? Senator DeCamp.

SENATOR DeCAMP: How many are excused? Eleven?

SENATOR CLARK: Two.

SENATOR DeCAMP: Two? Okay, we still stand a shot, so I would ask for a Call of the House and take call in votes if that would be okay. But I would ask for a Call of the House first.

SENATOR CLARK: Call of the House has been requested. All those in favor of a Call of the House vote aye, opposed vote nay. Record the vote.

CLERK: 19 ayes, 3 nays to go under Call, Mr. President.

SENATOR CLARK: The House is under Call. All Senators will return to their seats, and if all Senators will check in, please. The Clerk would like to read some things while we are trying to get everyone registered in here.

CLERK: Mr. President, while we are recording our presence, I have a communique from the Governor addressed to the Clerk. Engrossed LBs 181, 252, 303, 381, 441, 451, 470, 485, 497, 543, 179, 346 and 384, 273, 273A, 501 and 545 were signed by me May 22 and delivered to the Secretary of State. Sincerely, Charles Thone, Governor.

Mr. President, I have an Attorney General's Opinion addressed to Senator Barrett on 376; one to Senator Hefner on 552. (See pages 2228 through 2233 of the Journal.)

Your Committee on Enrollment and Review respectfully reports they have carefully examined 406 and recommend that the same be placed on Select File with amendments; 551 Select File; 552, 553, 554 all on Select File with amendments. (See pages 2233 through 2234 of the Journal.)

Your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 322 and find the same correctly engrossed; 376, 389 and 512 all correctly engrossed.

Mr. President, new resolution, LR 188 by Senator Wagner.