

January 19, 1981

LR 6  
LB 311-356

read some bills in now, we will recess until 3:30 and come back and hopefully there will be more bills to process and then I would like to have a meeting with the chairmen in Room 1520 at 9:00 tomorrow morning. The Clerk now will....Senator Carsten.

SENATOR CARSTEN: Mr. President, I am hopeful to have a meeting of the Revenue Committee at 3:00. We may be a little late getting back in Exec Session, so I just wanted to alert you of that.

SPEAKER MARVEL: Okay. Senator Carsten is calling a meeting of the Revenue Committee for three o'clock this afternoon. In which room? 1520. Okay, Mr. Clerk, go ahead.

CLERK: Mr. President, first of all, Senator Marsh has an explanation of vote to be inserted in the Journal. (See page 244 of the Legislative Journal.)

New bills, Mr. President. Read by title LB 311-355 as found on pages 244 through 255 of the Legislative Journal.

Mr. President, new resolution. (Read LR 6 as found on pages 255 and 256 of the Legislative Journal.)

Mr. President, Senator DeCamp asks unanimous consent to have the names of all the members added as co-introducers to LR 6.

SPEAKER MARVEL: Okay, the motion before the House is the unanimous consent request that all names be added to the resolution which was just read. Is there objection to that motion? If not, the motion is so ordered.

CLERK: Mr. President, pursuant to our rules....

SPEAKER MARVEL: It will be in the Journal?

CLERK: Yes, sir, it will be taken up some time later.

Mr. President, LB 356. (Read title to LB 356 as found on pages 256 and 257 of the Legislative Journal.)

SPEAKER MARVEL: Okay, the motion by Senator Marsh to recess until 3:30 p.m. All those in favor of that motion say aye. Opposed no. We are recessed until 3:30 this afternoon.

Edited by:

  
Marilyn Zark

February 19, 1981

LR 19  
LB 143, 20, 124, 167,  
197, 313

SPEAKER MARVEL: Motion is carried. The bill is indefinitely postponed. What is the next? Okay, the Clerk has some items on the desk.

CLERK: Mr. President, your committee on Education whose Chairman is Senator Koch to whom was referred LB 313 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File.

Mr. President, I have a report from the Executive Board. It will be inserted in the Journal regarding selection of the ombudsman.

Mr. President, Senator Fowler would like to print amendments to LB 124; Senator Vickers, Beutler and Hoagland to LB 167.

Your committee on Public Health gives notice of hearings for March 12, Public Health for hearing on March 16 and your Constitutional Revision and Recreation Committee gives notice of hearing for February 27.

Mr. President, a communication from the Governor addressed to the Clerk...yes, sir.

SPEAKER MARVEL: I would caution the Legislature that after we finish what is on the Clerk's desk there are some amendments that go to 109. We will have to pass over that temporarily and then we go to Final Reading. So we will be on Final Reading in just a few moments. Go ahead, Mr. Clerk.

CLERK: Mr. President, a communication from the Governor. (Read. See page 580, Legislative Journal.)

Mr. President, a new resolution, LR 19 by Senator Cullan. (Read. See pages 580 and 581, Legislative Journal.) That will be referred to the Executive Board, Mr. President.

Mr. President, Senator Marsh asks unanimous consent to have her name added to LB 197 as cointroducer.

SPEAKER MARVEL: No objection, so ordered.

CLERK: Mr. President, finally, Senator Stoney offers explanation of vote.

SPEAKER MARVEL: The Legislature will be at ease for about three minutes and then we will go into Final Reading. The legislators will please take your seats so we can proceed. Okay, we are ready to proceed on Final Reading, item #6, and the first bill on Final Reading is LB 20. The Clerk will read.

March 9, 1981

LB 9, 50, 257, 266,  
313, 475, 508.

CLERK: Mr. President, I have a series of Attorney General's Opinions, the first to Senator Vard Johnson regarding LB 9; one to Senator Vard Johnson regarding LB 266; a third to Senator DeCamp regarding LB 508; one to Senator Wesely regarding LB 257, and one to Senator Hefner regarding LB 206. (See pages 794 through 804 of the Legislative Journal.)

PRESIDENT: Ready then for agenda item #4, General File. The first bill on General File this morning is LB 313, Mr. Clerk.

CLERK: Mr. President....

PRESIDENT: We will pass over the first two bills which are Senator Stoney's bills and come back to them. Starting out then with LB 50. Oh, that's off of there. All right, so then we are at 475.

CLERK: Mr. President, LB 475 was introduced by the Constitutional Revision and Recreation Committee and signed by its members. (Read title.) The bill was first read on January 20 of this year. It was referred to the Judiciary Committee for Public Hearing. The bill was advanced to General File. There is a committee amendment pending, Mr. President, by the Judiciary Committee to add the emergency clause.

PRESIDENT: The Chair recognizes Senator Nichol.

SENATOR NICHOL: Mr. President and members of the Legislature, this is simply the emergency clause and the reason for it being that this should go into effect sooner so that we would have a Commission on Judicial Qualifications. I understand that at the present we don't have one and because of the voting of the public last November this should be done immediately. I move for the adoption of the E clause.

PRESIDENT: Any discussion on the....that is a committee amendment, Senator Nichol? A committee amendment which is to add the E clause. Any discussion? I guess that is your opening and closing, Senator Nichol. The question then is the adoption of the committee amendment to LB 475. All those in favor vote aye, opposed nay. Record the vote.

CLERK: 27 ayes, 0 nays on the motion to adopt the committee amendments, Mr. President.

PRESIDENT: The motion carries. The committee amendment

1206

March 11, 1981

LB 56, 313

vote aye, opposed vote no. Record the vote.

CLERK: 27 ayes, 0 nays to cease debate, Mr. President.

SPEAKER MARVEL: Debate has ceased. Senator Cullan, do you wish to close? Senator Kremer, do you wish to adopt the committee amendments?

SENATOR KREMER: We have not adopted the committee amendments as amended?

SPEAKER MARVEL: No.

SENATOR KREMER: Then, Mr. Chairman, I move we adopt the committee amendments as amended.

SPEAKER MARVEL: All those in favor of the adoption of the committee amendments vote aye, opposed vote no. Have you all voted? Record the vote.

CLERK: 31 ayes, 0 nays on the motion to adopt the committee amendments as amended, Mr. President.

SPEAKER MARVEL: The motion now is the advancement of the bill as amended. All those in favor of that motion vote aye, opposed vote no. Record.

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

SPEAKER MARVEL: The motion is carried and the bill is advanced. The next order of business is General File, LB 313.

CLERK: Mr. President, LB 313 is a bill introduced by Senator Larry Stoney. (Read title.) The bill was read on January 19, referred to General File. I have no amendments on the bill, Mr. President.

SPEAKER MARVEL: Senator Stoney.

SENATOR STONEY: Mr. Speaker and members of the Legislature, at the present time all school district bonds by law must be redeemable on or after five years from the date of their issuance. Section 10-717 of present statute which authorizes the school district to issue refunding bonds has a limitation that refunding bonds can only be substituted in place of and exchanged dollar per dollar for bonds previously issued and only when the bonds were subject to redemption at the time the refunding bonds were issued. Well, there is no method at the present time with the statutes the way

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LB 313, 84

that they are for a school district to issue refunding bonds to finance the redemption premium or expenses of issuance or to take advantage of the lower interest cost by issuing refunding bonds at a lower rate prior to the actual redemption date. Now what this bill would accomplish if enacted into law would be to provide for the issuing of refunding bonds to not only pay the principal on those outstanding bonds but redemption premium and any interest to accrue on the bonds to the date of the redemption. Then if the proceeds of the refunding bonds were not immediately used to pay off the outstanding bonds, they could then be invested in United States obligations. Now this proposal was brought to my attention by the Millard School District. They have experienced a problem and feel that they would have an opportunity if this change were made in the present statute to provide them with greater flexibility and an advantage presently that we experience with the fluctuating interest rates would give them the latitude to take advantage of this. Now I think with the economy the way that it is, with the school districts experiencing the problems that they do have, that providing them with this additional opportunity to take advantage once again of the fluctuating interest rates is a rational and a sensible approach to allow them this opportunity. So I would move that you would advance LB 313.

SPEAKER MARVEL: The motion is to advance 313 to E & R for review. All those in favor vote aye, opposed vote no. Have you all voted? Record the vote.

CLERK: 25 ayes, 0 nays on the motion to advance the bill, Mr. President.

SPEAKER MARVEL: The bill is advanced to E & R for review. The next bill is LB 84.

CLERK: Mr. President, LB 84 was introduced by Senator Larry Stoney. (Read title.) The bill was read on January 12, referred to Judiciary, advanced to General File. I have no amendments on the bill, Mr. President.

SENATOR STONEY: Mr. Speaker, members of the Legislature, the intent of this proposal is to increase the fee which is presently being charged by the Clerk of the District Court from \$10 to \$25 for each case commenced by the filing of a transcript of judgment from another court in this state for the purpose of obtaining a lien. Examples of those would be garnishments and also executions. Now the reason for this requested change is the volume of garnishments that are presently being filed. There are

March 13, 1981

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by Reverend Larry Spader, Central Alliance Church.

REVEREND SPADER: Prayer offered.

PRESIDENT: Roll call. While we are waiting to get everyone checked in this morning we will take this opportunity to introduce from Senator Wesely's district some 9 students from Riley Elementary School here in Lincoln, Mrs. Barth and Mrs. Frogge, teachers. They are up here in the North balcony. Would you welcome Riley Elementary School up here in the North balcony. Welcome to your Legislature. Record the presence.

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 stand correct as published. Any messages, reports or announcements?

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined LB 56 and recommend that same be placed on Select File with amendments; 313 Select File; 84 Select File; 47 Select File with amendments, (Signed) Senator Kilgarin, Chair.

Mr. President, engrossed LBs 55, 114, 128, 217, 246, 279, 388, 434, 462 and LR 33 and 34 are ready for your signatures.

PRESIDENT: While the Legislature is in session and capable of doing business I propose to sign and I do sign LB 55, LB 114, 128, 217, 279, 388, 434, 462, LR 33 and LR 34. We will proceed then with Final Reading. The Sergeant at Arms will secure the floor. All members of the Legislature will please return to your desks and as soon as everyone is at your place we will commence with Final Reading. All unauthorized personnel, non-legislative personnel will leave the floor of the Legislature. We are on Final Reading. We are awaiting Final Reading then. All legislators will be at their desks. We will commence with Final Reading.

CLERK: Mr. President, while we are waiting...

PRESIDENT: Go ahead, Mr. Clerk.

March 19, 1981

LB 204A, 56, 313

is your opening and your closing. The question then is the adoption of the amendment to LB 204A. All those in favor vote aye, opposed nay. Have you all voted? Record the vote.

CLERK: 28 ayes, 0 nays, Mr. President, on the adoption of the amendment.

PRESIDENT: The motion carries. The Wagner amendment is adopted to LB 204A. Any further amendments, Mr. Clerk?

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

PRESIDENT: Senator Kilgarin.

SENATOR KILGARIN: I move LB 204A be advanced to E & R for engrossment.

PRESIDENT: Motion to advance LB 204A to E & R for engrossment. Any discussion? All those in favor of advancing LB 204A to E & R engrossment signify by saying aye, opposed nay, that was a little better. The motion carries and LB 204A is advanced to E & R for engrossment. The Chair would like to take the opportunity to introduce some guests of Senator Richard Peterson. They are under the South balcony, Mr. and Mrs. Ronald Rousch from Madison. Would the Rouschs stand and be recognized and welcome to your Legislature. The next bill on Select File this morning is LB 56, Mr. Clerk.

CLERK: There are E & R amendments, Senator.

PRESIDENT: The Chair recognizes Senator Kilgarin.

SENATOR KILGARIN: I move the E & R amendments to LB 56.

PRESIDENT: The motion is to adopt the E & R amendments on LB 56. Any discussion? All those in favor of adopting the E & R amendments on LB 56 signify by saying aye, opposed nay. The E & R amendments on LB 56 are adopted? Any further...?

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

PRESIDENT: The Chair recognizes Senator Kilgarin.

SENATOR KILGARIN: I move LB 56 be advanced to E & R for engrossment.

PRESIDENT: The motion to advance LB 56 to E & R for engrossment. Any further discussion? All those in favor signify by saying aye, opposed nay. The motion carries and LB 56 is advanced to E & R for engrossment. The next bill is LB 313.

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LB 313, 84, 47

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

PRESIDENT: The Chair recognizes Senator Kilgarin.

SENATOR KILGARIN: I move LB 313 be advanced to E & R for engrossment.

PRESIDENT: Motion to advance LB 313 to E & R for engrossment. Any discussion? All those in favor signify by saying aye, opposed nay. LB 313 is advanced to E & R for engrossment. The next bill is LB 84.

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

PRESIDENT: Senator Kilgarin.

SENATOR KILGARIN: I move LB 84 be advanced to E & R for engrossment.

PRESIDENT: Motion to advance LB 84 to E & R for engrossment. Any discussion? All those in favor signify by saying aye, opposed nay. LB 84 is advanced to E & R for engrossment. The next bill is LB 47, Mr. Clerk.

CLERK: There are E & R amendments, Mr. President.

PRESIDENT: The Chair recognizes Senator Kilgarin.

SENATOR KILGARIN: I move the E & R amendments to LB 47.

PRESIDENT: The motion is to adopt the E & R amendments on LB 47. Any discussion? All those in favor of adopting the E & R amendments on LB 47 signify by saying aye, opposed nay. The E & R amendments on LB 47 are adopted. Any further amendments?

CLERK: Yes, Mr. President. Senator Newell moves to amend the bill and the Newell amendments are found on page 999 of the Legislative Journal.

PRESIDENT: Page 999 of the Journal, amendment to LB 47 by Senator Newell. Is Senator Newell here? Does the Sergeant at Arms know where Senator Newell is? Oh, he is back there in the telephone booth. We will be at ease until Senator Newell gets done. The Chair recognizes Senator Newell on your amendment on LB 47, Senator.

SENATOR NEWELL: Mr. President, members of the body, the amendment that I offer is one that I have discussed with the introducer of the bill, Senator Rumery. It basically allows cities of the primary class which is Lincoln and cities of the metropolitan class which is Omaha to develop



March 23, 1981

LB 17, 47, 56, 79, 84, 151,  
220, 224, 313, 446, 485, 544.

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by Chaplain Coordinator Palmer.

DR. ROBERT PALMER: Prayer offered.

PRESIDENT: Roll call. Has everyone registered your presence?

CLERK: Mr. President, Senators Fitzgerald, Koch, Howard Peterson, Wagner excused; Beutler, Cullan, Gc11, Hoagland and Vard Johnson until they arrive.

PRESIDENT: While we are waiting for those to register their presence, the Chair would like to recognize from Senator Sieck's District, seven students from Benedict High School, Bud Exstrom, their teacher. They are up here in the north balcony. Would you folks stand up and be recognized. Welcome to your Legislature. Record the presence, Mr. Clerk.

CLERK: Quorum present, Mr. President.

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

CLERK: No, sir, there are no....

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

CLERK: Mr. President, the committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 17 and recommend that LB 17 be placed on Select File, LB 446 Select File with amendments. (Signed) Senator Kilgarin. (See pages 1050 and 1051 of the Legislative Journal.)

Mr. President, your committee on Public Works whose Chairman is Senator Kremer, reports LB 224 to General File with amendments, 485 General File with amendments, 544 General File with amendments and LB 79 indefinitely postponed. (Signed) Senator Kremer as Chair. (See pages 1051 and 1052 of the Legislative Journal.)

Your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 47 and find the same correctly engrossed; 56, 84, 151, 220, 313, all correctly engrossed. (Signed) Senator Kilgarin.

I have a report from the Legislative Accountant regarding legislative employees. It will be inserted in the Journal. (Page 1052 of the Journal.)

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LB 56, 84, 151, 220, 313

return.

PRESIDENT: The motion fails. Anything further on the bill? It is right there, it is on E & R for engrossment. We are then ready, Mr. Clerk, for Final Reading on LB 84.

CLERK: (Read LB 84 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 84 pass? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Record vote read. See pages 1206 and 1207, Legislative Journal.) 47 ayes, 0 nays, 1 excused and not voting, 1 present and not voting, Mr. President.

PRESIDENT: LB 84 passes. Next bill on Final Reading is LB 151, Mr. Clerk.

CLERK: (Read LB 151 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 151 pass? All those in favor vote aye, opposed nay. Have you all voted? Record the vote.

CLERK: (Record vote read. See page 1207, Legislative Journal.) 27 ayes, 21 nays, 1 excused and not voting, Mr. President.

PRESIDENT: LB 151 passes. The next bill on Final Reading is LB 220.

CLERK: (Read LB 220 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 220 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Record vote read. See page 1208, Legislative Journal.) 46 ayes, 1 nay, 1 excused and not voting, 1 present and not voting, Mr. President.

PRESIDENT: LB 220 passes with the emergency clause attached. Before we take up the last bill for this morning on Final Reading, the Chair would like to introduce some guests of Senator Wagner, Harry Knecht, Bonnie Dzingle, Elaine Reiter, all from Loup City. They are in the South balcony. Would you folks stand and be recognized by the Nebraska Unicameral? Welcome to your Legislature. The final bill on Final Reading this morning is LB 313.

March 31, 1981

LR 49  
LB 313, 17

CLERK: (Read LB 313 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 313 pass? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Record vote read. See page 1209, Legislative Journal.) 48 ayes, 0 nays, 1 excused and not voting, Mr. President.

PRESIDENT: LB 313 passes and that will conclude Final Reading today. Mr. Clerk, do you have some things to read in?

CLERK: Yes, very quickly, Mr. President, a new resolution, LR 49 offered by Senator Sieck. (Read. See page 1209, Legislative Journal.) That will be laid over, Mr. President.

Senator Koch would like to print amendments to LB 17 in the Journal, Mr. President.

April 1, 1981

LB 44, 47, 56, 84, 113, 151,  
173, 218, 220, 308, 313, 331,  
370, 379, 392, 478.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: The Reverend Sidney D. Ellis of the Church of Christ, Lincoln, Nebraska.

REVEREND SIDNEY D. ELLIS: Prayer offered.

CLERK: Mr. President, Senators Beyer, Fowler and Vard Johnson would like to be excused for the day. Senators Hoagland, Cullan and Wiitala until they arrive.

SPEAKER MARVEL: Record the vote, Mr. Clerk.

CLERK: Quorum present, Mr. President.

SPEAKER MARVEL: Do you have anything for item #3?

CLERK: Yes, sir. Mr. President, first of all I have got a correction in the Journal foundon page 1221. (See page 1230 of the Journal.)

Mr. President, your committee on Education whose Chairman is Senator Koch reports LB 218 to General File with amendments; 370, General File with amendments; and 308 indefinitely postponed. (Signed) Senator Koch. (See pages 1230 through 1235 of the Journal.)

Your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 56 and find the same correctly reengrossed.

Mr. President, LBs 47, 84, 151, 220 and 313 are ready for your signature.

Mr. President, I have a Reference Report from the Executive Board referring LB 556 to the Appropriations Committee and that is signed by Senator Lamb as Chairman of the Reference Committee.

SPEAKER MARVEL: While the Legislature is in session and capable of transacting business, I am about to sign and do sign LB 47, LB 84, LB 151, LB 220, LB 313.

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 379 and recommend that same be placed on Select File with amendments; 44, Select File with amendments; 173, Select File with amendments; 331, Select File with amendments; 392, Select File with amendments; 478, Select File with amendments; 113, Select File with

April 1, 1981

LB 17, 40, 47, 84, 151, 220,  
245, 245A, 313, 478

particular bill. I will get another shot on Select. But I hope you mark well what you are doing this morning, and I hope the impact of it will not be lost on you. So, Mr. Chairman, I am making that request for a Call of the House and a roll call vote.

SPEAKER MARVEL: Shall the House go under Call? All those in favor vote aye, opposed no. Okay, record.

CLERK: 17 ayes, 11 nays to go under Call, Mr. President.

SPEAKER MARVEL: The House is under Call. All legislators please take your seats. Record your presence. Senator Beutler, Senator Newell, Senator Schmit, Senator Hoagland. Mr. Sergeant at Arms, will you see if you can find Senator Schmit, please?

CLERK: Mr. President, while we are waiting for Senator Schmit, I have an Attorney General's Opinion that is addressed to Senator Carsten and one addressed to Senator Haberman. (See pages 1247 through 1252 of the Legislative Journal.) Senator Pirsch would like to print amendments to LB 17, and Senator Landis and Howard Peterson to LB 478, and your Enrolling Clerk respectfully reports that she has presented to the Governor for his approval the following bills: 47, 84, 151, 220, and 313.) (See pages 1252 through 1256 for amendments to LB 17 and 478 in the Legislative Journal.) And your Committee on Enrollment and Review respectfully report that they have carefully examined and engrossed LB 245 and find the same correctly engrossed, and 245A correctly engrossed.

SENATOR CLARK PRESIDING

SENATOR CLARK: Do you want to continue, Senator Chambers, or do you want to wait for Senator Schmit? Call the roll.

CLERK: (Read the roll call vote as found on page 1246 of the Legislative Journal.)

SENATOR CARSTEN: Mr. President, may we have the motion restated. I am not quite sure that anybody knows....

SENATOR CLARK: The Clerk will restate the motion.

CLERK: Mr. President, the motion is to overrule the Speaker's agenda by removing LB 40.

SENATOR CLARK: If you want to support the Chair, you vote no.