

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

May 27, 1981

LB 213, 314, 531

years and we will be turning people loose that we intended to keep under control by this very bill. Senator Hoagland says we will be taking a risk. That is absolutely what you are taking. He says it will be fairly litigated. That is right. It will be fairly litigated and you will be turning people loose while your constituents expect us to be keeping people under control by passing such a bill. I am in favor of such a bill. I am just not in favor of this one. I strongly urge you to adopt the amendments on page 2086.

PRESIDENT: All right, the question is the motion to return LB 213 for this specific amendment. All those in favor vote aye, opposed nay. Have you all voted? Have you all voted? Senator Nichol, do you want to do anything about...Record the vote.

CLERK: Mr. President, Senator Cullan requests a record vote. (Read record vote as found on page 2322 of the Legislative Journal.) 9 ayes, 29 nays, Mr. President, on the motion to return the bill.

PRESIDENT: The motion fails. It stays right where it is so we will go on...oh there is another motion? All right, Mr. Clerk, go ahead. Motion on the desk. Read the motion. All right, no further motion so it just stays where it is. We will then go to LB 531. Yes, read some matters in, go right ahead.

CLERK: Mr. President, real quickly, I have a report from the Executive Board regarding interim study resolution referrals. (See page 2323 of the Legislative Journal.)

New resolution, 191, offered by the Business and Labor Committee. (Read. See pages 2323-2324 of the Journal.) That will be laid over, Mr. President.

Mr. President, your committee on Public Health reports LB 314 to General File with amendments and that is signed by Senator Cullan, Chair. See pages 2324-2325 of the Legislative Journal.)

Mr. President, Senator DeCamp would move to return LB 531 to Select File for a specific amendment. The amendment is on page 2219.

PRESIDENT: The Chair recognizes Senator DeCamp.

SENATOR DeCAMP: Mr. President, members of the Legislature, I apologize for taking up your time. I don't know who is to blame, whether it is a legislative aide, a bill drafter, E & R, or John DeCamp, but anyway when we put the amendment

January 28, 1982

LB 410, 428, 448, 657  
LB 417, 192, 314,

dangerous and I think that we have a responsibility to ensure that that doesn't continue to happen. I urge you to advance LB 417. I don't think that it is a major problem if you are going to move a combine a great distance to drop the platform, put it on a trailer and not endanger the public. I urge you to advance the bill.

SENATOR CLARK: The question before the House is the advancement of the bill. All those in favor say aye, opposed nay. The bill is advanced. LB 421. The Clerk would like to read in.

CLERK: Mr. President, I have a series of items to read in. Senator Higgins would like to print amendments to LB 314; Senator Vard Johnson to print amendments to LB 428; Senator Vard Johnson to LB 410; Senator Vickers to LB 192; Senator Warner to LB 192 and Senator Warner to LB 448. (See pages 456-462 of the Legislative Journal.)

Mr. President, I have a reference report referring gubernatorial appointments. (See page 463 of the Legislative Journal.)

I have a notice of hearing from the Education Committee and Senator Nichol moves that LB 657 be placed on General File notwithstanding the action of the committee. That will be laid over, Mr. President. (See page 463 of the Journal.)

February 2, 1982

LB 127, 127A, 314, 431,  
LB 364, 605, 616, 685

Here he is. The Clerk will call the roll. Can we have it quiet, please, so the Clerk can hear the response.

CLERK: (Read the roll call vote as found on page 506 of the Legislative Journal.) 8 ayes, 34 nays on the motion to reconsider, Mr. President.

SENATOR CLARK: The motion carried.....or, pardon me, the motion lost. I am sorry, Senator Chambers, trying to help you out there. LB 364 is indefinitely postponed. We are now ready for item #7, 314. The Clerk would like to read in first.

CLERK: Mr. President, first of all I have, your committee on Enrollment and Review respectfully reports we have carefully examined and reviewed LB 127 and recommend that same be placed on Select File; E & R amendments to LB 127A, Select File with E & R amendments attached.

Mr. President, your committee on Miscellaneous Subjects whose chairman is Senator Hefner reports LB 605 be advanced to General File; LB 685 advanced to General File and LB 616 advanced to General File with committee amendments attached.

Mr. President, your committee on Miscellaneous Subjects gives notice of confirmation appointment hearings.

Senator Fenger would like to print amendments to LB 431 in the Journal. (See pages 508-509 of the Legislative Journal.)

Mr. President, Senator Koch would like to announce that the Education Committee will meet in executive session immediately following the public hearing of the committee today in Room 1517.

Mr. President, I have a unanimous consent request from Senator Warner and Senator Kremer to switch hearing rooms for Wednesday, February 3 and Friday, February 5.

SENATOR CLARK: No objections? So ordered. We will now take up 314.

CLERK: Mr. President, LB 314 introduced by Senator Higgins. (Read title.) The bill was read on January 19 last year. It was referred to the Public Health and Welfare Committee. The bill was advanced to General File. There are committee amendments attached, Mr. President.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Senator Cullan.

SENATOR CULLAN: Mr. President, members of the Legislature, I would move for the adoption of the committee amendment. At this time I'd also say that Senator Higgins will be proposing amendments to the committee amendments. I visited with most of the members of the Health and Welfare Committee and we would be supportive of her amendments. The basic thrust of the committee amendments and Senator Higgins' amendments I think just put them in a little bit better form. The basic thrust of the committee amendments is to solve a problem so far as assets of individuals are concerned who are on welfare, aged, blind or disabled, who want to set aside enough money to make sure that they can be buried. So what the committee and Senator Higgins came up with is to establish an irrevocable trust. They could put as much money as is necessary to bury them into this irrevocable trust and that trust would have to be used to bury them and for that purpose and for that purpose alone. Senator Higgins... That does solve the problem as far as assets are concerned and it would ensure that individuals could put enough money away so that they can be buried and provide for their own funeral expenses. I would move for the adoption of the committee amendments but first I would urge you to support Senator Higgins' amendments to the committee amendments.

SPEAKER MARVEL: Senator Higgins.

CLERK: Mr. President, Senator Higgins' amendment is found on page 456 of the Legislative Journal.

SPEAKER MARVEL: The Chair recognizes Senator Higgins.

SENATOR HIGGINS: Mr. President, Senators, the proposed amendment to LB 314 allows low income elderly people to place up to \$3,000 into an irrevocable trust and it will be used solely to pay their expenses for burial. This amendment is necessary to assure that the funds set aside for funeral costs are not considered an available asset of a potential public assistance candidate. Under current regulations if a person can reach this fund for personal use then it is considered a liquid asset and must be used in determining their eligibility for financial or medical assistance such as supplemental security income or Medicaid. So basically this amendment will allow up to \$3,000 in assets to be placed in an irrevocable trust for burial purposes only. It will permit income from the trust to be designated also as irrevocable and it allows the depositor, usually the potential decedent to change morticians after due notice to the previously designated one. This is intended to permit the depositor to shift from one mortician to another in case a potential decedent should move, let's say from Omaha to Scottsbluff.

This feature presently exists in statute 71-1342 for revocable trusts and is preserved by this amendment for irrevocable trusts. I came to offer this bill last year, Senators, for the simple reason that we had a few cases of individuals who were frugal enough at a time when they had money to lay aside a thousand to fifteen hundred dollars for their burial. As it sat in a bank it gained interest and the interest then put them over the fifteen hundred dollar limit they are allowed to have and still be eligible for Medicaid or SSI. So this amendment is strictly so that these poor people that want to be assured of a decent burial would be allowed to lay this money aside for that purpose and that purpose only. So I would urge you to adopt this amendment to LB 314.

SPEAKER MARVEL: Senator Kahle, your light is on.

SENATOR KAHLE: Mr. Speaker and members, perhaps a question of Senator Higgins.

SPEAKER MARVEL: Senator Higgins, do you yield?

SENATOR HIGGINS: If it is not too difficult.

SENATOR KAHLE: I'm concerned about setting up this trust and who is going to pay the cost of setting it up. Isn't there a simpler way that we could do it?

SENATOR HIGGINS: Well, Senator Kahle, the trust would just mean if they had a fifteen hundred or two thousand dollar CD, they would just set it up with a bank or a savings and loan. There wouldn't be any cost that I can see to it. They would merely agree with the mortician that he would be the beneficiary of the trust upon their death and just leave the money there. In other words, it wouldn't be like drawing up a trust for a Vanderbilt or a Rockefeller.

SENATOR KAHLE: Well I think there would be some cost and you would have to have a trust officer or someone in the family that would handle it and I think it is a more complicated thing to set up a trust than you're talking about. I hope I'm wrong but I believe that it takes an attorney perhaps to draw it up and also there is a procedure of setting up the trust.

SENATOR HIGGINS: I don't see that because we're not talking about setting up a million dollar trust or half a million or a quarter of a million. We're only talking about a mortician and this possible or eventual decedent sitting down and he agrees that he will bury them upon their death for the amount in the trust and, you know, it could be done with one sheet of paper.

SENATOR KAHLE: Well most legal matters aren't that simple but I will lay off that for now and I agree with you that I think they need to have enough money set aside for funeral expenses and how it is done bothers me a bit because I think that the trust angle might be more complicated than you might think it is and I know you have some help there behind you. Perhaps we can find that out later.

SENATOR HIGGINS: Thank you, Senator.

SPEAKER MARVEL: The Chair recognizes Senator Cullan.

SENATOR CULLAN: Mr. President, members of the Legislature, I would just, in response to Senator Kahle's question, I would think that the trust instrument that is involved here would be a one page document, two pages at most. It is probably the type of thing that would be drawn up by the bank, Trust Department of the bank at which the...which handles the trust or it could very easily be an instrument drawn up by a form that most funeral morticians would have or would soon be able to have and I'm sure that it would be a very simple form and I don't see that it would cost anything at all. I'm sure that after this bill passes morticians will have this type of instrument drawn up. Most of them will have it and it will be of no significant cost and certainly it is not a complicated problem.

SPEAKER MARVEL: Senator Higgins, do you wish to close on your amendment?

SENATOR HIGGINS: Thank you, Mr. Speaker, no. My aide is showing Senator Kahle now a form that is used and it is a very simple thing so I would just urge the body to vote for the amendment to 314. Thank you.

SPEAKER MARVEL: The motion before the House is the adoption of the Higgins amendment. Senator Kahle, your light is on. No, she has closed on this motion. All those in favor of the adoption of the Higgins amendment vote aye, opposed vote no. Record.

CLERK: 21 ayes, 0 nays on adoption of Senator Higgins amendment, Mr. President.

SPEAKER MARVEL: The motion is carried. The Higgins amendment is adopted. Now, Senator Cullan, do you want to take the committee amendments?

SENATOR CULLAN: Okay. Mr. President, members of the Legislature, I would move the committee amendments. I would just have one more comment about the trust instrument. Senator Kahle, this one is so simple I could probably draft it myself. I would urge you to adopt the amendments.

SPEAKER MARVEL: The motion is the adoption of the committee amendments as discussed by Senator Cullan. All those in favor vote aye, opposed no. Record the vote.

CLERK: 28 ayes, 0 nays, Mr. President, on adoption of committee amendments.

SPEAKER MARVEL: The motion is carried. The committee amendments are adopted. Senator Higgins, do you wish to explain your amendment?

SENATOR HIGGINS: I just explained my amendment and now I...

SPEAKER MARVEL: Do you want to explain the bill now?

SENATOR HIGGINS: Well the bill is pretty much the amendment. It is just to allow these people to be able to continue to get medical aid and put aside money for their burial in the future and I might add that these people being frugal enough to look ahead to their future it will save the county and the state the expense of burying them if they are forced to spend that money in order to qualify. So, in effect, we would be penalizing them. One of the main reasons I brought this bill out was in my campaigning I ran into a woman who was in a nursing home and her biggest fear was that if she didn't have enough money for burial her body would automatically be given to the University Hospital or Creighton University Hospital for medical students. So I really introduced it more to alleviate the fears of these elderly people and also keep them from losing what eligibility they have for Medicaid and I would urge the advancement of LB 314, Senators, to Select File or to E & R for initial. Thank you.

SPEAKER MARVEL: Senator Marsh.

SENATOR MARSH: Thank you, Mr. Speaker and members of the Legislature, I stand to support LB 314. I would like to thank Senator Higgins for bringing this to the legislative body. There are a number of our senior citizens who are on the very borderline of whether they are eligible for state services, supplemental security payments and yet care about what kind of funeral arrangements could be made for them. This will allow the dignity of the senior citizen to prevail for those who have made an effort with perhaps a very low cost insurance through the years that may be paid in full for their savings account that they feel this is where they would like to have it go and I strongly support the advancement of LB 314.

SPEAKER MARVEL: Senator Rumery.



SENATOR RUMERY: Mr. President, members of the Legislature, I would like to ask Senator Higgins a question or two. First of all, Senator Higgins, I support this bill of yours with all my might which isn't probably too much but I've got a question or two. Where does the federal government and the state government enter into this? Medicaid is supported by federal government is it not? Part of it is and part of it isn't. Do we run smack dab into these rules and regulations or do you have that all taken care of?

SENATOR HIGGINS: Yes, Senator Rumery, that is why we are making this an irrevocable trust. I have a letter from the Department of Welfare, the State Department of Welfare, assuring us that by making this an irrevocable trust we will not be in conflict with federal regulations.

SENATOR RUMERY: Great.

SENATOR HIGGINS: And that was another reason for introducing the bill.

SENATOR RUMERY: Thank you.

SENATOR HIGGINS: And making an irrevocable trust. Thank you, Senator.

SPEAKER MARVEL: The last light on, Senator Kahle.

SENATOR KAHLE: Mr. Speaker, perhaps another question of Senator Higgins. What is the limit that they can set up for this funeral?

SENATOR HIGGINS: The maximum would be three thousand dollars. I doubt if many of them would have that amount but just in case right now they've got fifteen hundred and it is drawing interest that would put them over the present limit.

SENATOR KAHLE: And if I understand right now, the trust that you are talking about would specifically state the undertaker or the mortician that would be doing the work when the time came. Is that correct?

SENATOR HIGGINS: Yes, unless for example if they lived in Omaha when they made the trust and then later they moved to another part of the state to move in, say with their family and they wanted to be buried there. Then they could change morticians but first they would have to notify that mortician that they were changing the designated beneficiary and that is solely for the purpose that they can move from one place to another. The money would still be irrevocable. They could not draw it out at any time during their life.

SENATOR KAHLE: Okay, let's use an example. Let's say I sign up with a...set up a trust with, for three thousand dollars and a mortician is picked and I don't know whether he has to sign the trust document or not and I live another twenty years, hopefully, and funeral expenses have doubled. Am I still going to get a three thousand dollar funeral?

SENATOR HIGGINS: You're going to get whatever, if you have three thousand dollars plus the interest, you will get whatever that will buy at that time. Presently it is at fifteen hundred. I raised it because recently I went through that funeral expense and I know that fifteen hundred won't hardly put you under, at least in Omaha.

SENATOR KAHLE: I'm certainly in favor of having a set aside of money that a person can set aside to bury them and it should be more than the fifteen hundred dollars I believe that we have now. I guess what I'm afraid of and we had some of this several years ago. We had a bill before us where morticians actually solicited and went out and sold their program to people and I'm sure some of that is still done but I would hope that our people, especially those in care homes that are not as alert as they could be and perhaps don't even have any family close by, would not get suckered into a deal that they might regret later. And this is what bothers me a bit about this whole thing and that is the reason I threw up some red flags a bit ago. I would hate to have a policy in our statutes whereby morticians could go out and solicit business and then not have a definite ending on it so that that would actually be the price of the funeral, and that after the thing was all over they couldn't bill the family or somebody else for the extra money. If they want to sign a statement that you get a funeral for so many dollars I guess that is alright but if it is an open ended thing, why all it does is give them, make sure they are going to get the business when our time is up and this bothers me a bit. Maybe we ought to get together and talk about it or see for sure that we are doing it so we don't get ourselves in a trap.

SENATOR HIGGINS: Senator, I appreciate your concerns and of course mine would be the same. I can't conceive of them actually soliciting people on welfare because from the mortician that I visited with in Omaha, they don't want to sign anything for a definite amount because they themselves know that in the future you know it would go up but by the same token I don't see them soliciting people on welfare because they usually feel that there is not that much money there. But I would be happy to work something out with you. If this bill isn't going to take care of that problem, we can certainly do it on Select File.

SENATOR KAHLE: Well my big problem of course is that you designated who the mortician is going to be but it is an open ended thing as far as what he can charge. That bothers me a bit.

SENATOR HIGGINS: Okay, Senator, we'll see what we can do on Select File to keep them honest.

SENATOR KAHLE: Thank you.

SPEAKER MARVEL: Do you move the advancement of the bill?

SENATOR HIGGINS: Yes, Mr. Speaker.

SPEAKER MARVEL: The motion is the advancement of the bill as explained by Senator Higgins. All those in favor of advancing the bill vote aye, opposed vote no. Have you all voted? Record the vote.

CLERK: 30 ayes, 1 nay on the motion to advance the bill, Mr. President.

SPEAKER MARVEL: The motion is carried. The bill is advanced. 210.

CLERK: Yes, Mr. President, I have a request from Senator Vickers to pass over LB 210.

SPEAKER MARVEL: Hearing no objections, so ordered. 210 is passed over and goes down to the pass over file. 210A the same? Okay, LB 131 is the next item.

CLERK: Mr. President, LB 131 offered by Senator Newell. (Read title.) The bill was read on January 13 last year. It was referred to the Nebraska Retirements Systems for public hearing, Mr. President. The bill was advanced to General File. There are Retirement Committee amendments attached.

SPEAKER MARVEL: The Chair recognizes Senator Fowler.

SENATOR FOWLER: Mr. President, I would move for adoption of the committee amendments to LB 131. The committee amendments were brought to the...this is a bill we had last year, Senator Newell's. The Omaha Schools' over the interim looked over the bill and brought these amendments to us. The Omaha School Retirement System is a separate and distinct teacher retirement plan with its own statutory provisions and then the rest of the teachers in Nebraska are under the teacher retirement plan so the Omaha has their own system. It has kind of been custom that no changes have ever been made, at

February 4, 1982

All Senators that are in their seats, please check in. Will you all check in or shall I call out the names? Senator Sieck, Senator Kremer. All right, they are all here. Do you want a roll call vote? The Clerk will call the roll. They are all here.

CLERK: (Roll call vote taken. See page 545, Legislative Journal.) 27 ayes, 20 nays, Mr. President.

SENATOR CLARK: The motion lost. The next motion is to place #758 on General File notwithstanding the action of the committee. Senator Fowler. The Clerk would like to read in and the Call is raised.

CLERK: Mr. President, your committee on Revenue whose Chairman is Senator Carsten instructs me to report LB 819 advanced to General File with the committee amendments attached. That is signed by Senator Carsten as Chair. (See page 546 of the Journal).

Mr. President, Banking, Commerce and Insurance gives notice of cancellation of hearing. Signed by Senator DeCamp.

Mr. President, Senator Wesely would like to withdraw LB 237. That will be laid over.

Senator Vickers would like to print amendments to LB 230 in the Legislative Journal. (See pages 546 and 547 of the Journal). Senator Kahle to print amendments to LB 703 in the Legislative Journal. (See pages 547 and 548 of the Journal). Senator Schmit to print amendments to LB 421 in the Journal. (See page 549 of the Journal).

Mr. President, new A bill, 590A by Senator Kilgarin. (Read title).

Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 255A and recommend that same be placed on Select File; 440 Select File with amendments; 314 Select File with amendments; 131 Select File with amendments; 287 Select File with amendments; 649 Select File; 571 Select File; 598 Select File and 646 Select File. Those are all signed by Senator Kilgarin as Chair. (See pages 549 through 552 of the Legislative Journal).

Mr. President, Senator Fowler moves that LB 758 be placed on General File notwithstanding the actions of the Appropriations Committee.

February 5, 1982

LB 131, 314, 440

SENATOR KILGARIN: Call of the House.

SPEAKER MARVEL: A Call of the House requested? A Call of the House is requested. All those in favor of that motion vote aye, opposed vote no. Have you all voted? Record the vote.

CLERK: 15 ayes, 3 nays to go under Call, Mr. President.

SPEAKER MARVEL: The Legislature is under Call. All Legislators please return to your seats, record your presence. The Chair will accept call in votes.

CLERK: Senator Burrows voting yes, Senator Warner voting yes. Senator Hoagland voting yes.

SPEAKER MARVEL: Have you all voted?

CLERK: Senator Chambers voting yes. Senator Vard Johnson voting yes.

SPEAKER MARVEL: Okay, record the vote first.

CLERK: 25 ayes, 13 nays on the motion to advance the bill, Mr. President.

SPEAKER MARVEL: The motion is carried. The bill is advanced. LB 314.

SENATOR KILGARIN: I move the E & R amendment to LB 314.

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

SENATOR KILGARIN: I move we advance LB 314.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. The motion is carried. The bill is advanced. LB 131.

SENATOR KILGARIN: I move the E & R amendment to LB 131.

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

SENATOR KILGARIN: I move we advance LB 131.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. The motion is carried. The bill is advanced. The next bill, LB 287.

February 9, 1982

LR 217  
LB 115, 115A, 131, 255A, 274A,  
287, 314, 440, 454, 520, 591, 954

Your committee on Revenue whose Chairman is Senator Carsten reports LB 591 advanced to General File.

Your committee on Education reports LB 520 advanced to General File with committee amendments attached. Those are all signed by the respective Chairmen.

Mr. President, Senator Sieck asks unanimous consent to withdraw his name as co-introducer from LB 954.

SENATOR NICHOL: No objection, so ordered.

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 115 and find the same correctly engrossed; 115A correctly engrossed; 131 correctly engrossed; 255A correctly engrossed; 274A correctly engrossed; 287 correctly engrossed; 314 correctly engrossed; 440 correctly engrossed, and LB 454 correctly engrossed, all signed by Senator Kilgarin as Chair.

SENATOR NICHOL: We will go on to LR 217, Mr. Clerk.

CLERK: Mr. President, LR 217 offered by Senator Koch, found on page 576 of the Journal. (Read LR 217).

SENATOR NICHOL: Senator Koch.

SENATOR KOCH: Mr. Chairman and members of the body, this is noncontroversial I hope. This is merely an endorsement of vocational education week and this is the week that we highlight and I don't think it needs a great deal of explanation, and I ask for the adoption of resolution 217.

SENATOR NICHOL: The question is LR 217. All those in favor signify by voting aye, opposed nay.

CLERK: Senator Nichol voting yes.

SENATOR NICHOL: Have you all voted? Record, please.

CLERK: 27 ayes, 0 nays, Mr. President, on adoption of LR 217.

SENATOR NICHOL: Senator Koch.

SENATOR KOCH: Mr. Chairman, I would like to have a record vote on this and I want to see whether we are really loyal or we are just making fun.

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LB 274A, 287, 314, 402

CLERK: (Record vote read. See pages 763 and 764, Legislative Journal.) 40 ayes, 3 nays, 5 excused and not voting, 1 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is passed on Final Reading. Go to LB 287.

CLERK: (Read LB 287 on Final Reading.)

SPEAKER MARVEL: All provisions of law relative to procedure having been complied with, the question is, shall the bill pass? Those in favor vote aye, opposed vote no. With the emergency clause attached. Have you all voted? Record the vote.

CLERK: (Record vote read. See pages 764 and 765, Legislative Journal.) 45 nays, 0 nays, 4 excused and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed with the emergency clause attached. Before we proceed with the next item, it is my pleasure to introduce Mr. Steve Biedeck from Ralston who is also a student at UNL. He is in Senator Koch's District. The Clerk will read on Final Reading LB 314.

CLERK: (Read LB 314 on Final Reading.)

SPEAKER MARVEL: All provisions of law relative to procedure having been complied with, the question is, shall the bill pass? Those in favor vote aye, opposed vote no. LB 314. Have you all voted? Record the vote.

CLERK: (Record vote read. See page 765, Legislative Journal.) 45 ayes, 1 nay, 3 excused and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. Next bill, LB 402, on Final Reading.

CLERK: (Read LB 402 on Final Reading.)

SPEAKER MARVEL: All provisions of law relative to procedure having been complied with, the question is, shall the bill pass? Those in favor vote aye, opposed vote no. Clerk, record the vote.

CLERK: (Read record vote. See page 766, Legislative Journal.) 42 ayes, 2 nays, 3 excused and not voting, 2 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading.

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LB 131, 274, 274A, 287,  
314, 402, 440, 454,  
589, 646, 649, 904

SPEAKER MARVEL: While the Legislature is in session and capable of transacting business, I am about to sign and do sign LB 131, LB 274, LB 274A, LB 287, LB 314, LB 402, LB 440, LB 454, LB 589. The next order of business is Final Reading on LB 646.

CLERK: (Read LB 646 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 646. Have you all voted? This is voting on Final Reading, LB 646. Have you all voted? Record the vote.

CLERK: (Record vote read. See page 786, Legislative Journal.) 46 ayes, 1 nay, 1 present and not voting, 1 excused and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. Next bill, LB 649.

CLERK: (Read LB 649 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 649 on Final Reading. Record the vote.

CLERK: (Record vote read. See page 787, Legislative Journal.) 45 ayes, 1 nay, 2 present and not voting, 1 excused and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading.

CLERK: Mr. President, Senator Cullan would like to have an executive session of the Public Health and Welfare Committee Monday morning at nine o'clock in Room 1019. That is Public Health and Welfare Monday morning, nine o'clock in Room 1019.

Urban Affairs instructs me to report LB 904 indefinitely postponed. That is signed by Senator Landis as Chairman.

SENATOR CLARK PRESIDING

SENATOR CLARK: Senator Beyer, would you like to adjourn us until Monday morning at nine-thirty.

SENATOR BEYER: Mr. Speaker, I move that we be adjourned until Monday morning at nine-thirty.



LR 211, 224  
LB 131, 192, 198, 211, 224, 231,  
239, 263, 270, 274, 274A, 287,  
314, 402, 440, 448, 450, 454,  
465, 511, 547, 589, 592, 634,  
646, 649, 669A, 672, 827

February 22, 1982

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: The prayer will be delivered by the Reverend Palmer.

REVEREND PALMER: Prayer offered.

SPEAKER MARVEL: Record your presence, please. While we are waiting for a quorum, underneath the South balcony from Scottsbluff, Nebraska, Audrey Towater is the guest of Senator Nichol. She is the one that has that large object there she is working on. I suggest that at your convenience you take a look at it. It is very interesting. Record, Mr. Clerk.

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

SPEAKER MARVEL: The Clerk has got some items to read into the Journal.

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined and reviewed LB 634 and recommend that same be placed on Select File with amendments; 672 Select File with amendments and LB 827 Select File and 669A Select File, all signed by Senator Kilgarin. (See pages 790-791 of the Journal.)

Your Enrolling Clerk respectfully reports that she has presented to the Governor on February 19 at two-fifty, bills passed on Final Reading that day. (Re: LB 131, 274, 274A, 287, 314, 402, 440, 454 and 589.)

Mr. President, I have communications from the Governor. The first is addressed to the Clerk. (Read communication re: LB 239 as found on page 791 of the Legislative Journal.) The second communication is addressed to the Clerk. (Read re: LB 192, 198, 231, 263, 270, 448, 450, 465, 511, 592, 131, 274, 274A, 287, 314, 402, 454 and 589.)

Mr. President, your committee on Urban Affairs whose chairman is Senator Landis reports LB 904 as indefinitely postponed. That is signed by Senator Landis as Chair.

Senator Schmit would like to print amendments to LB 547 in the Legislative Journal. (See page 792 of the Journal.)

Mr. President, LR 211, 224 and LB 646 and 649 are ready for your signatures.

SPEAKER MARVEL: While the Legislature is in session and capable of transacting business I am about to sign and do sign LR 211, LR 224, engrossed LB 646, LB 649. (See page