

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....

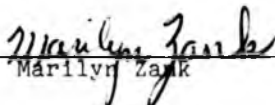
SPEAKER MARVEL: It will be in the Journal?

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

March 13, 1981

LB 115, 134, 235, 240, 296,  
324, 369, 436, 494

Mr. President, your committee on Business and Labor reports LB 436 to General File; 115 to General File with amendments; 494 to General File with amendments and 235 as indefinitely postponed. (See pages 920-921 of the Legislative Journal.)

Your committee on Retirement whose chairman is Senator Fowler reports LB 369 to General File with amendments. (See page 921 of the Journal.)

Mr. President, Senator Landis would like to print amendments to LB 240 and 324 in the Legislative Journal. (See pages 921-924.)

Business and Labor has scheduled an executive session for Monday, March 16 at 9:00 a.m. in Room 1019.

Mr. President, Senator Haberman would like to add his name to LB 249 as cointroducer.

SENATOR CLARK: No objections, so ordered.

CLERK: Mr. President, Senator Hoagland to 134 as cointroducer.

SENATOR CLARK: No objections, so ordered.

CLERK: Mr. President, your committee on Public Health reports LB 296 to General File with amendments, (Signed) Senator Cullan as Chair.

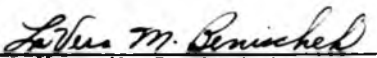
And finally, Mr. President, I have from the Speaker a notice regarding priority bill designation. That will be inserted in the Legislative Journal. (See pages 924-926 of the Journal.)

SENATOR CLARK: I think the Legislature would like to extend its sympathy to Senator Nichol. He just found out his mother passed away. Senator Beutler, would you like to adjourn us until 9:30 a.m. on Monday.

SENATOR BEUTLER: Mr. Speaker, I would move the Legislature be adjourned until 9:30 a.m. Monday, March 16.

SENATOR CLARK: All those in favor say aye, opposed. We are adjourned until 9:30 a.m. Monday.

Edited by

  
LaVera M. Benischek

May 1, 1981

LB 285, 324

period if it was not necessary to have the road as a state highway or part of the state highway system and all they did is give it back to the counties with due notice and that is all the committee amendments do. I move for their adoption.

SPEAKER MARVEL: Motion is for the adoption of the committee amendments to LB 285 as explained by Senator Clark. All those in favor vote aye, opposed vote no. Record the vote.

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

SPEAKER MARVEL: Motion is carried. The committee amendments are adopted. Do you want to move the bill now?

SENATOR CLARK: I would move that 285 be advanced to E & R. What this bill does, it is strictly a permissive bill and allows the Director of the Department of Roads to classify a detour as part of the highway system until it is finished and they will have full responsibility to it and that is all it is, a permissive bill, so I would move for the advancement to E & R for 285.

SPEAKER MARVEL: All those in favor of advancing the bill vote aye, opposed vote no. Record.

ASSISTANT CLERK: 28 ayes, 0 nays on the adoption of the bill.

SPEAKER MARVEL: Motion is carried. The bill is advanced. The next bill is LB 324.

ASSISTANT CLERK: Mr. President, LB 324 (read title). It was read the first time on January 19. It was referred to Urban Affairs Committee and there are committee amendments from Urban Affairs Committee.

SPEAKER MARVEL: Senator Landis, do you want to speak to the committee amendments?

SENATOR LANDIS: Yes, sir. The committee amendments strike from the bill a definition of salary. It strikes from the bill a provision changing the method of figuring the appropriate pension benefits for firefighters in the City of Lincoln and, therefore, strikes all of the fiscal impact of the bill. The section which the committee amendments adopt is a payback section allowing the firefighter who has left the pension system, left the employ of the City of Lincoln as a firefighter and then return to work as a firefighter

May 1, 1981

LB 324

to buy himself back into the pension system by yielding up the appropriate amount of pension benefits plus interest. That section of language, that concept, is agreed upon by both parties, the City of Lincoln and the firefighters. So with the adoption of the committee amendments, then we strike all of the objectionable language, we leave then the payback provision and that is acceptable language. I would ask for the adoption of the committee amendments, and if they are adopted, I will simply make the motion to have the bill advanced and that will be all as far as the discussion of the bill.

SPEAKER MARVEL: The motion is the adoption of the committee amendments to LB 324. All those in favor of that motion vote aye, opposed vote no. Have you all voted? Record.

ASSISTANT CLERK: 28 ayes, 0 nays on adoption of the committee amendments.

SPEAKER MARVEL: Motion is carried. The committee amendments are adopted. We now, Senator Landis, are you going to make a motion to advance the bill as amended?

SENATOR LANDIS: Yes, since we are just talking about the payback provision and that is an acceptable language on both parties, I will just simply move the advancement of LB 324 to E & R initial.

SPEAKER MARVEL: All those in favor of that motion vote aye, opposed vote no. LB 324 as amended. Have you all voted? Record.

ASSISTANT CLERK: 25 ayes, 0 nays on the advancement of the bill.

May 1, 1981

LB 487, 324, 361,  
396A

explanation, do you think we should work that concern out that you have on this bill on General File, Senator Wesely, rather than, you know, we were lamenting the fact that we are going onto Final Reading with so many of those bills and so much work has to be done and you indicated there are problems with this bill. There was concern with areas of this bill. Maybe we should address those right now.

SENATOR WESELY: Senator Dworak, let me explain. There has been one person who, in fact, testified in favor of the bill, Mary Hepburn O'Shea, who has expressed concern about the definition that we have in here. I think the definition is probably pretty good as it is, but to try and meet her concern, we are willing to sit down and spend some time with her. My feeling, quite frankly, is the bill if it is passed in its present form would be a perfectly good piece of legislation but, again, I am concerned. I don't want to unduly concern Mrs. O'Shea so I think Senator Johnson and I both are willing to talk to her but the bill has not got a problem I think. I think it is a good bill. We are just trying to recognize the fact that she has expressed an interest and we are willing to work with her.

SENATOR DWORAK: Thank you, Senator Wesely.

SPEAKER MARVEL: The motion is to advance 487 to E & R for Review. All those in favor of that motion vote aye, opposed vote no. Have you all voted? Record.

CLERK: 25 ayes, 2 nays, Mr. President, on the motion to advance the bill.

SPEAKER MARVEL: The motion is carried. The bill is advanced. LB 316.

CLERK: Mr. President, if I may right before that, I have a new A bill, 396A, by Senator Carsten. (Read title.)

Senator Landis had amendments to LB 324 that he wishes to withdraw, Mr. President.

SPEAKER MARVEL: A motion.

CLERK: Yes, sir.

SPEAKER MARVEL: Hearing no objection, so ordered.

CLERK: And finally, Mr. President, Senator Wesely asks unanimous consent to have his name added to LB 361 as co-introducer.

May 5, 1981

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.

May 26, 1981

LB 285, 324, 487, 544

CLERK: Senator Clark voting yes.

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

CLERK: 27 ayes, 3 nays, Mr. President, to cease debate.

SENATOR CLARK: Debate has ceased. Senator Cullan.

SENATOR CULLAN: Adopt the amendment.

SENATOR CLARK: The question before the House is the adoption of the amendment. All those in favor vote aye, all those opposed vote nay.

CLERK: Senator Clark voting yes.

SENATOR CLARK: Have you all voted on the Cullan amendment? Report the vote.

CLERK: 26 ayes, 9 nays, Mr. President, on adoption of Senator Cullan's amendment.

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

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

SENATOR CLARK: All right, the question before the House is the advancement of LB 285. Is there any discussion? All those in favor say aye, opposed nay. The bill is advanced. LB 324. Senator Landis, I think it is a motion.

SENATOR LANDIS: Mr. Speaker, I want everybody to recognize the fact that I am withdrawing LB 324. Take it off your schedules and let's all save a little time.

SENATOR CLARK: That will lay it over one day.

SENATOR LANDIS: Oh, ...you may want to object. The introducer moves to withdraw LB 324.

SENATOR CLARK: That will lay over one day. LB 487. Do you want to withdraw this one, Senator Wesely?

SENATOR WESELY: Mr. President, I think we can just pass over that until tomorrow. That is fine.

SENATOR CLARK: Fine, we will pass over 487 and 487A. 544. You have been a wonderful audience. We are down to the last four bills. 544.

May 27, 1981

LB 324

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by Senator DeCamp, Chaplain of the morning.

SENATOR DeCAMP: (Prayer offered).

PRESIDENT: Roll call.

SENATOR DeCAMP: Amen.

PRESIDENT: For the record. 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 stands correct as published. Any messages, reports and announcements?

CLERK: Mr. President, I have nothing on the desk this morning.

PRESIDENT: We will proceed then with item #4 on the agenda, Select File, commencing with LB 324.

CLERK: Mr. President, yesterday when 324 was considered Senator Landis at that time made a motion to withdraw the bill. That is now before us.

PRESIDENT: The Chair recognizes Senator Landis. Just a minute, Senator Landis, you are not on. Okay, go ahead.

SENATOR LANDIS: Mr. Speaker, members of the Legislature, LB 324 is a pension bill for primary class cities. The essential provisions of that bill have been put into another primary class city, LB 366, and for that reason since there are no provisions of merit at this point, I would move to withdraw the bill rather than to have it be laying around on Select File open for amendment.

PRESIDENT: Any further discussion? Senator Newell, did you wish to speak to the withdrawal motion? You have your light on. I was just wondering what it was on for. Oh, okay, it works. Testing for the day. Any further discussion? I guess, Senator Landis, that is your opening and your closing so the motion is to withdraw LB 324. All those in favor vote



May 27, 1981

LB 324, 487

aye, opposed nay. Record the vote.

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

PRESIDENT: Motion carries. LB 324 is withdrawn. The next bill is LB 487.

CLERK: Mr. President, I have E & R amendments on LB 487.

PRESIDENT: The Chair recognizes Senator Kilgarin.

SENATOR KILGARIN: I move the E & R amendments to LB 487.

PRESIDENT: Motion to adopt the E & R amendments to LB 487. Any discussion? All those in favor signify by saying aye, opposed nay. The E & R amendments are adopted.

CLERK: Mr. President, I now have an amendment from Senator Schmit. That is referred to on page 1997 of the Journal. You will find it in your bill books. It is Request #2401.

PRESIDENT: The Chair recognizes Senator Schmit.

SENATOR SCHMIT: Mr. President, members of the Legislature, the amendments we have to offer on 487 are basically the bill that we introduced, that was introduced at the request of the Department of Agriculture, and it does these things. It repeals the laws that regulate the following aspects of the food industry: The Nebraska Hotels and Inns Law; the Nebraska Sanitary Food Law; the Nebraska Food Act; the Nebraska Frozen Food Locker Plant Law; the Nebraska Cold Storage Warehouse Law; the Nebraska Soft Drink Bottling Law; and the Nebraska Flour Law. The Department has for a number of years not exercised that kind of supervisory authority. It is an obsolete function of their department, they are now being supervised by the Department of Health in some instances, and in other instances, by local cities, and the Department felt it was unnecessary to have it in the act and, therefore, have asked to have them repealed. I move the adoption of the amendment.

PRESIDENT: The Chair recognizes Senator Wesely.

SENATOR WESELY: Mr. President, I rise in support of the amendment. This is an important amendment and deals with, again, Senator Schmit mentioned 547's provisions. Essentially what we have in 487 with the Schmit amendments is a reorganization bill of the Ag Department for a number of regulatory activities that they undertake. They overlap 487 and 547 in