

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 17, 1981

LR 16
LB 24, 109, 110, 114, 143, 188,
188A, 207, 207A, 234, 234A, 246,
325, 388.

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by Paster Rodney Hinrichs from the Rejoice Lutheran Church here at Lincoln.

PASTOR RODNEY HINRICHS: Prayer offered.

PRESIDENT: Roll call.

CLERK: Mr. President, Senator Higgins would like to be excused. Senator Labeledz and Chronister until....

PRESIDENT: Record the presence.

CLERK: Quorum present, Mr. President.

PRESIDENT: 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 Enrollment and Review Committee respectfully reports they have carefully examined and reviewed LB 207 and recommend that same be placed on Select File; 207A; 188; 188A; 234; 234A; 110; 143 and 109 all placed on Select File. (See pages 525 and 526 of the Legislative Journal.)

Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 24 and find the same correctly engrossed.

Mr. President, your committee on Public Works whose Chairman is Senator Kremer to whom was referred LB 114 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendments; 246 General File with amendments; 325 General File with amendments; 388 General File with amendments. (Signed) Senator Kremer, Chair. (See pages 526 and 527 of the Legislative Journal.)

Mr. President, I have a unanimous consent request to have Senator Clark add his name to LR 16.

PRESIDENT: Any objections? If not, so ordered.

CLERK: Mr. President, LR 16 is ready for your signature.

this is a very simple bill. It plugs the data gap. This requires that municipalities register their wells. As you know, irrigation wells have had the requirement that they be registered for some time. It has been indicated that it would be helpful in knowing more about the total water situation if municipalities were also required to register their wells. As Senator Kremer indicated, they do currently pay a fee so that the fee part of it is not changed, merely would require the registration so that somebody knows where they are. I move advancement of the bill.

SPEAKER MARVEL: Senator Kahle, do you wish to speak on 246?

SENATOR KAHLE: Mr. Speaker and members, a question of Senator Lamb, perhaps. I think I found it in the bill but they would still have the same distance stipulation that the farmer has, 600 feet I believe, or 660 feet from an existing well?

SENATOR LAMB: No change in the existing statute. I am not sure whether it is 660. I thought in the case of munies it might be a 1000. But whatever the statute is at the present it is not changed. We are only trying to get the wells registered so the Conservation Survey Division, Department of Water Resources and other entities have that information.

SENATOR KAHLE: Okay, so whatever the distance might be, or is, then the statute would be the same for the city as it would be for the farmer?

SENATOR LAMB: No, it would be the same as what it is now. I am not sure if it is the same, it's not changed is the only thing I am saying.

SENATOR KAHLE: Okay, thank you.

SPEAKER MARVEL: The motion is to advance the bill. All those in favor vote aye, opposed vote no. Record the vote.

CLERK: 30 ayes, 0 nays on the motion to advance the bill, Mr. President.

SPEAKER MARVEL: The motion is carried. The bill is advanced. The next bill is 325.

CLERK: Mr. President, LB 325 was introduced by the

Public Works Committee. (Read title.) It was first read on January 19, referred to the Public Works Committee. It was advanced to General File. There are committee amendments pending, Mr. President.

SPEAKER MARVEL: Senator Kremer.

SENATOR KREMER: Mr. Chairman and members, LB 325 is a bill that came out of the Public Works Committee, and I think I should explain the bill and it would be easier to understand the amendment to the bill. At the present time when a Natural Resource District goes under control, before a well could be drilled it would require a permit. In the past wells have been drilled when under control without a permit. Consequently, this Legislature passed legislation that will provide for a late permit, and that should not continue. Therefore, the committee saw fit to introduce this legislation that would require that the well driller, before commencing the drilling of a well, shall have information verifying the fact that he does have a permit. All the well driller has to do to this proposed well owner is to say, I want to see your permit before I drill this well. That is the content of the bill. It was supported by the well driller. The well driller does not have to get the permit. He merely has to say, I want to see the permit or I want to be sure that you have one. And if the well driller does not do this, he is subject to a Class V misdemeanor. The amendment to the bill now merely shifts some of the responsibility onto the well owner, saying if he gives false information, or says that he does have a permit when he does not, he, too, is subject to a penalty. That, Mr. Chairman, is the amendment. So I move first of all for the adoption of the amendment.

SPEAKER MARVEL: The motion is the adoption of the committee amendment to LB 325. All those in favor of that motion vote aye, opposed vote no. Record.

CLERK: 32 ayes, 0 nays on adoption of the committee amendments, Mr. President.

SPEAKER MARVEL: The motion is carried. The amendment is adopted. Now, Senator Kremer, do you want to advance the bill?

SENATOR KREMER: Mr. Chairman, I have explained the bill, so I do move for the advancement of LB 325 as amended.

SPEAKER MARVEL: All those in favor of advancing 325 as amended to E & R for Review vote aye, opposed vote no. Record.

February 27, 1981

LB 34, 58, 114, 125, 144,
195, 205, 246, 272, 273,
273A, 325, 355, 359, 388,
409, 491, 546

the motion is the suspension of the rules to introduce a bill as explained by Senator Newell. All those in favor of suspending the rules vote aye, opposed vote no. Record the vote, Mr. Clerk.

CLERK: 30 ayes, 11 nays to suspend the rules and offer introduction, Mr. President.

SPEAKER MARVEL: The motion is adopted.

CLERK: Mr. President, a new bill, LB 546. (Title read.) While we are waiting, your committee on Urban Affairs whose Chairman is Senator Landis to whom we referred LB 58 reports the same back to the Legislature to General File with amendments; 359 General File with amendments; 491 General File with amendments. (Signed) Senator Landis.

Senator DeCamp would like to print amendments to LB 34 in the Journal.

Mr. President, your committee on Enrollment & Review respectfully reports they have carefully examined and reviewed LB 205 and recommend that same be placed on Select File with amendments; 409 Select File with amendments; 195 Select File; 272 Select File; 273 Select File with amendments; 273A Select File; 355 Select File with amendments; 114 Select File; 246 Select File, 325 Select File, 388 Select File with amendments. (Signed) Senator Kilgarin, Chair.

SPEAKER MARVEL: May I have your attention to discuss item #6 and item #6 has to do with the continuation of the discussion on LB 125. There is a request that the bill be laid over until Monday. I have contacted two of the introducers. They are amenable to laying it over until Monday. If we do this, I think we must do it with the understanding that we are not establishing a precedent. But anyway, is there objection to laying over 125 until Monday? Senator Higgins.

SENATOR HIGGINS: Mr. President, who requested that we lay it over?

SPEAKER MARVEL: Senator Haberman.

SENATOR HIGGINS: Thank you.

SPEAKER MARVEL: Any other discussion? Okay, the bill will be laid over until Monday. We now move to General File, LB 144, Mr. Clerk.

March 4, 1981

LB 114, 246, 325, 388

Mr. President, I have a Reference Report referring LB 546 and 547 from the Reference Committee. Mr. President, I have a Reference Report from the Reference Committee referring certain gubernatorial appointments to the Education Committee. (Page 742 of the Journal.)

SPEAKER MARVEL: Unless there is objection, we will pass over 355 temporarily on Select File and proceed with LB 114.

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

SPEAKER MARVEL: Senator Kilgarin.

SENATOR KILGARIN: I move that LB 114 be advanced to E & R for Engrossment.

SPEAKER MARVEL: Those in favor of the motion say aye. Opposed no. The motion is carried. The bill is advanced. LB 246.

CLERK: I have nothing on the bill, Senator.

SPEAKER MARVEL: Senator Kilgarin.

SENATOR KILGARIN: I move LB 246 be advanced to E & R for Engrossment.

SPEAKER MARVEL: All in favor of that motion say aye. Opposed no. The motion carried. The bill is advanced. 325.

CLERK: I have nothing on the bill, Senator.

SENATOR KILGARIN: I move LB 325 be advanced to E & R for Engrossment.

SPEAKER MARVEL: All in favor of that motion say aye. Opposed no. The motion carried. The bill is advanced. 388.

CLERK: There are E & R, Senator.

SENATOR KILGARIN: I move the E & R amendments to LB 388.

SPEAKER MARVEL: All in favor of that motion say aye. Opposed no. The motion carried. The E & R amendment's adopted.

SENATOR KILGARIN: I move LB 388 be advanced to E & R for Engrossment.

March 13, 1981

LB 136, 325, 354, 457

CLERK: (Read record vote as found on page 902 of the Legislative Journal.) 32 ayes, 14 nays, 2 excused and not voting, 1 present and not voting, Mr. President.

PRESIDENT: LB 136 passes and the next bill on Final Reading, Mr. Clerk, will be LB 325.

CLERK: (Read LB 325 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 325 pass. All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Read record vote as found on pages 902-903 of the Legislative Journal.) 47 ayes, 0 nays, 2 excused and not voting, Mr. President.

PRESIDENT: LB 325 passes. The next bill on Final Reading, Mr. Clerk, is LB 354.

CLERK: (Read LB 354 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 354 pass. All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Read record vote as found on page 903 of the Legislative Journal.) 44 ayes, 1 nay, 2 excused and not voting, 2 present and not voting, Mr. President.

PRESIDENT: LB 354 passes. The final bill on Final Reading this morning, Mr. Clerk, is LB 457.

CLERK: (Read LB 457 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 457 pass. All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Read record vote as found on page 904 of the Legislative Journal.) 47 ayes, 0 nays, 2 excused and not voting, Mr. President.

PRESIDENT: LB 457 passes and that will conclude Final Reading for this morning.

CLERK: Mr. President, the Public Health and Welfare Committee would like to continue their executive session underneath the South balcony, right now. Public Health and Welfare Committee underneath the South balcony.

SPEAKER MARVEL PRESIDING

March 16, 1981

LB 83, 136, 138, 290, 310,
325, 354, 440, 457

SPEAKER MARVEL PRESIDING

DR. ROBERT PALMER: (Prayer offered.)

SPEAKER MARVEL: Record your presence.

CLERK: Mr. President, Senators Clark, Nichol and Hoagland would like to be excused for the day. Senators Newell, Cullan and Beutler...Beutler is here, Senators Newell, Cullan and Wesely...Wesely is here, too.

SPEAKER MARVEL: Record.

CLERK: A quorum present, Mr. President.

SPEAKER MARVEL: Have you got some items to read?

CLERK: Yes, sir. Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined LB 290 and recommend that same be placed on Select File with amendments; LB 138 Select File. (Signed) Senator Kilgarin, Chair.

Mr. President, your committee on Education whose Chairman is Senator Koch reports LB 440 to General File with amendments. (Signed) Senator Koch.

Your committee on Government whose Chairman is Senator Kahle reports LB 310 to General File with amendments. That is signed by Senator Kahle.

Mr. President, I have reports from the Department of Health, Bureau of Examining Boards pursuant to statutory section; and one from the Department of Administrative Services, State Building Division, both offered in compliance with statutory provisions. They will be on file in my office.

Mr. President, Public Works Committee will meet in executive session at one thirty on March 18, 1981 in Room 1517. That is signed by Senator Kremer.

Mr. President, LBs 83, 136, 325, 354, and 457 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 LB 83, LB 136, LB 325, LB 354, LB 457. Okay, let's go to item #4.

CLERK: Mr. President, the first item under gubernatorial

March 17, 1981

LR 21, 30
LB 24, 38, 51, 55, 83, 114, 128,
136, 150, 154, 195, 217, 246, 250,
272, 275, 279, 288, 302, 325, 354,
388, 409, 434, 444, 457, 462, 515

SPEAKER MARVEL PRESIDING

REVEREND RON WASIKOWSKI: (Prayer offered. Microphone not on. See page 951, Legislative Journal.)

SPEAKER MARVEL: Record your presence. Record.

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

SPEAKER MARVEL: Did you have any other items?

CLERK: Yes, sir, I do. Mr. President, first of all, the Journal is without error this morning.

Mr. President, a communication from the Governor addressed to the Clerk. (Read. Re: LBs 55, 83, 114, 128, 136, 150, 154, 195, 217, 246, 272, 275, 279, 288, 325, 354, 388, 409, 434, 457, 462, 24, 38, and 51. See pages 951 and 952, Legislative Journal.)

Mr. President, I have a series of Attorney General opinions. One to Senator DeCamp regarding the Executive Board and the powers thereof; one to Senator DeCamp regarding payment of salary; one to Senator Nichol regarding LB 515.

Mr. President, your committee on Government, Military and Veterans Affairs whose Chairman is Senator Kahle reports LB 250 to General File with amendments; LB 444 to General File with amendments. Signed Senator Kahle as Chair.

Your committee on Public Works whose Chairman is Senator Kremer reports LB 302 to General File with amendments and Public Works reports LR 21 back to the Legislature with amendments. Signed by Senator Kremer as Chair.

SPEAKER MARVEL: From Senator Barrett's District in the North balcony it is my privilege to introduce 19 senior high students from St. Ann's Catholic School, Lexington, Nebraska. Mr. Roger Lucas, Government teacher; Dr. Phillip Vreeland, English teacher. Will you hold up your hand so we can see where you are and greet you? Okay, we will go to item #4.

CLERK: Mr. President, the first resolution is offered by Senator Dworak. It is LR 28. It is found on page 737 of the Journal.

Mr. President, while Senator Dworak is missing, LR 30 by Senator Vickers. It is found on page 787. (Read.) That resolution, Mr. President, is found on page 787 of the Journal.