

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....

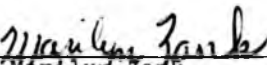
SPEAKER MARVEL: It will be in the Journal?

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 16, 1981

LB 328, 477, 35, 112,
245, 206, 206A, 22, 50,
74, 89, 89A, 171, 194,
425, 475, 500, 550,

SPEAKER MARVEL: The motion is the adoption of the Beutler amendment to the committee amendment. All those in favor of the motion vote aye, opposed vote no. Have you all voted? Have you all voted? Shall the House go under Call, all in favor of that motion vote aye, opposed vote no.

CLERK: 13 ayes, 2 nays to go under call Mr. President.

SPEAKER MARVEL: The House is under Call. All Legislators should be in their seats. Record your presence. Unauthorized personnel please leave the floor. Senator Fenger, Senator Koch, Senator Cope, Senator Kilgarin, Senator Kremer, Senator Schmit, Senator Vard Johnson, Senator Sieck, Senator Landis, Senator Newell, Senator Chambers, Senator Pirsch. Do we have them all now? Senator Vard Johnson and Senator Sieck. Will all legislators please be in their seats before we start the roll call. Senator Beutler everybody is accounted except Senator Vard Johnson. He is across the street. This is a roll call vote on the Beutler amendment to the committee amendment. Are you all in your seats? Okay, call the roll.

CLERK: Roll call vote. 15 ayes, 28 nays, 1 present and not voting, 4 excused and not voting, and 1 absent and not voting. Vote appears on pages 940-941 of the Legislative Journal.

SPEAKER MARVEL: Motion lost. Do you have another item?

CLERK: Mr. President, I have certificates and letters accompanying certificates regarding the overrides of LB 206 and 206A. (See pages 941-42 of the Legislative Journal).

Your committee on Enrollment and Review respectively reports we have carefully examined LB 22 and find the same correctly engrossed, 50, 74, 89, 89A, 171, 194, 425, 475 and 500, all correctly engrossed. (Signed) Senator Kilgarin, Chair.

Your Enrolling Clerk has presented certain bills to the Governor on this day. (See page 943 of the Legislative Journal).

Have a reference report referring LB 550.

Government Committee will meet in Executive Session on Thursday at 1:30 in Room 1113.

Judiciary reports 328 to General File as amended and 477 to General File with amendment.

Public Works reports 35 to General File and LB 112 indefinitely postponed. (Signed) Senator Kremer, Chair.

April 7, 1981

LB 328

CLERK: Mr. President, LB 328 was introduced by Senators Loran Schmit and Carole Pirsch (Read title to LB 328). The bill was first read on January 19th, referred to Judiciary. The bill was advanced to General File. There are committee amendments pending Mr. President.

SPEAKER MARVEL: Senator Schmit. Senator Nichol, do you wish to handle the committee amendments?

SENATOR NICHOL: Mr. Chairman and members of the Legislature. The Judiciary Committee considered an amendment which is offered by Senator Schmit which is essentially a technical amendment which would further clarify the intent of the bill. The amendment makes clear that the authority to appoint additional personnel enumerating their duties is to be exercised by the Executive Director of the Crime Commission and not by the Crime Victims Reparation Board. This was an oversight in the original bill and should be added so that the language in the bill is not ambiguous. I move for the adoption of the committee amendments.

SPEAKER MARVEL: The motion is the adoption of the committee amendments. All in favor of that motion vote aye, opposed vote no. Okay, record Mr. Clerk.

CLERK: 29 ayes, 0 nays on adoption of the committee amendments Mr. President.

SPEAKER MARVEL: The motion is carried. Senator Pirsch, do you wish to explain the bill?

SENATOR PIRSCH: Yes, thank you Mr. Speaker and members of the Legislature. The purpose of LB 328 is to place administrative and budgetary control of the Crime Victims Reparation Board with the Nebraska Commission on Law Enforcement and Criminal Justice. The Crime Victims Reparation Board is currently an independent board and has no other agency to rely on for administrative and budgetary support. What benefit would there be in transferring the Victims Board to the Commission? There are presently 1 1/2 people working on the Victims Board and as claim activity increases there would not have to be an increase in their personnel if we do put it with this supplementary staff. The Commission's present staff could support Victims Board staff in budget preparation, payment of claims, personnel in claims, record keeping, including entering information and records on the commission's computer. The present statute requires that the Victim Board promote the existence of programs to persons throughout the state. The Commission has an excellent

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LB 328, 477

relationship with all state, county and local criminal justice agencies. The reasons for this relationship is the Commissions ten years of grant activity within these agencies. Administration of their mandated training programs and that is with county attorneys, sheriff's and all other law enforcement agencies and there also is a diversified make up of commission members. The third is that this will comply with the Governor's task force recommendations which were....which you all have been given at the beginning of the year. I move that you advance LB 328.

SPEAKER MARVEL: Senator Schmit, do you have an amendment to the bill?

CLERK: Mr. President, Senator Schmit moves to amend the amendments, the request is 2281, I believe that you will find it in your bill books.

SENATOR SCHMIT: Mr. President, I want to withdraw that amendment. We are redrawing an amendment and we will offer it at a later time. I.....want to withdraw that amendment.

SPEAKER MARVEL: Any objection? Hearing none, so ordered. Do you want to move the advancement of the bill Senator Schmit? Did you move for the advancement of the bill?

SENATOR PIRSCH: I move for the advancement of 328 as amended.

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

CLERK: 27 ayes, 0 nays on the motion to advance the bill Mr. President.

SPEAKER MARVEL: Okay, Senator Nichol, do you want to handle the committee amendments?

CLERK: Mr. President, LB 477 was introduced by Senator Carole Pirsch. Read title of bill. The bill was read on January 20th, referred to the Judiciary Committee and was advanced to General File. There are committee amendments pending Mr. President.

SPEAKER MARVEL: Senator Nichol.

April 9, 1981

LBs 35, 72, 205, 296,
328, 251, 477

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: The Chaplain for today is Edith Young, Assistant Minister of First Christian Church of Lincoln.

PASTOR EDITH YOUNG: Prayer.

SPEAKER MARVEL: Would you please record your presence? Okay record.

CLERK: Quorum present Mr President.

SPEAKER MARVEL: Okay, item number three.

CLERK: Mr. President your committee on Enrollment and Review respectfully reports that we have carefully examined LB 296 and recommend the same be placed on Select File, 328 Select File with amendments, 477 Select File with amendments, 35 Select File with amendments. (signed) Senator Kilgarin, Chair.

Mr. President, a letter from the Governor to the Clerk regarding LB 351. (See page 1365 of the Legislative Journal).

Mr. President LB 72 and 205 are ready for your signature.

SPEAKER MARVEL: While the Legislature is session and capable of transaction business, I am about to sign and do sign re-engrossed Legislative Bill 72, re-engrossed LB 205.

The Clerk will read a letter from the Governor's office. Can I have your attention for just a minute. The Clerk will read a letter from the Governor's office. In order to have it distributed to you somebody's signature needed to be on the letter, my signature or initials are there. That does not necessarily mean an endorsement, it is simply a convenience for the members of the Legislature.

CLERK: Read letter from Governor Thone. See Legislative Journal pages 1366-68.

April 10, 1981

LB 483, 205, 328, 446

SENATOR CLARK: Everyone will check in, please. Will you all check in, please. Senator Burrows, Senator Warner, Senator Cullan, Senator Kilgarin, Senator Cope. Senator Cope, will you check in, please. Senator Beutler, Senator Warner, would you check in, please. Senator Rumery. Senator Warner and Senator Rumery. Senator Rumery, will you check in, please. Call the roll.

CLERK: (Read roll call vote as found on page 1398 of the Legislative Journal.)

SENATOR CLARK: We have five members from the Communications Workers of America in the North balcony. Will you hold up your hands so we can see where you are, please. There they are. Welcome to the Legislature.

CLERK: Mr. President, Senator Dworak voting yes.

SENATOR CLARK: We also have six students from rural District #4, Antelope County is Senator DeCamp's county. Mrs. Scranton is the teacher. They are in the North balcony. Will you hold up your hands, please. Welcome to the Legislature.

CLERK: 17 ayes, 21 nays, Mr. President, on the motion to return.

SENATOR CLARK: The motion failed. Do you have anything further on the bill?

CLERK: I do not.

SENATOR CLARK: Senator Kilgarin. Senator Labedz, do you want to readvance the bill. I'm sorry, it has been readvanced. We will go to item #5, Select File. The first bill, LB 298.

CLERK: If I may, right before we do that, a few items to read in.

SENATOR CLARK: Go right ahead.

CLERK: Senator Schmit would like to print amendments to LB 328. (See pages 1398-1401 of the Legislative Journal.)

I have Attorney General's opinions, one addressed to Senator Chambers regarding LB 205, one to Senator Marsh regarding LB 446, one to Senator Chambers regarding the City of Omaha's use of eminent domain. (See pages 1401-1408 of the Legislative Journal. Senator Kremer would like to be excused Monday and Tuesday.

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LB 241, 328

SPEAKER MARVEL: The motion is carried. The bill is advanced. Now before we go to the next item, I wish to introduce from Senator Maresh's District in the North balcony 16 seniors from Deshler High School, Deshler, Nebraska, Mr. Ron Streit, Instructor. Will you raise your hand so we can see where you are? Okay, welcome. The next bill, LB 296, is Senator Cope's bill. He is ill so we will pass over that and start with 328.

CLERK: There are E & R amendments to LB 328.

SPEAKER MARVEL: E & R amendments.

SENATOR KILGARIN: I move the E & R amendments to LB 328.

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

CLERK: Mr. President, Senator Schmit now has an amendment. The amendment is found on page 1398 of the Journal.

SENATOR SCHMIT: Mr. President, the amendment will move the staff of the Jail Standards Board from where they are now physically housed with the Department of Corrections to the Crime Commission. They will be able that way to use the budgeting services and some of the other physical services that are necessary for their operation and the staff will be able to cooperate and perform in a little more efficient manner. There is no objection from anyone that I know of and I believe it is a wise move. I move the adoption of the amendment.

SPEAKER MARVEL: Senator Koch, do you wish to be recognized? Senator Kremer.

SENATOR KREMER: Mr. Chairman, I would like to ask Senator Schmit a brief question. Senator Schmit, your amendment does leave the Jail Standard Board intact, does it not? It does not entirely move the responsibility to the Crime Commission? Leaves the Board intact, is that right?

SENATOR SCHMIT: Yes, only the staff is moved, Senator Kremer. The Jail Standards Board remains intact, the composition remains the same, the geographical distribution remains the same. There is no change in any of that.

SENATOR KREMER: Okay, thank you.

SPEAKER MARVEL: Is there any other discussion? Senator Beutler.

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LB 328

SENATOR BEUTLER: Mr. Speaker and members of the Legislature, I have also neglected to look at this amendment beforehand. I did have a couple of questions of Senator Schmit. Has this had a public hearing, Senator Schmit, this question?

SENATOR SCHMIT: I don't think it has had a public hearing, Senator. It has been discussed by many people but the amendment, obviously, was not a part of the bill. I don't think a public hearing is necessary for an amendment of this type. We have tried to slide amendments on the various bills that have a lot greater diversity than this does.

SENATOR BEUTLER: Could you tell me once more basically what it does, Senator Schmit?

SENATOR SCHMIT: Yes, it physically moves the staff from where they are housed at the present time with the Department of Corrections to the office under the Law Enforcement and Crime...or the Crime Commission. At the present time, the Department of Corrections is not able to provide any services to them. They have to do their own budgeting and their own physical housekeeping out there. In this manner they will be able to use the budgetary staff of the Crime Commission and the Crime Commission will have no authority over the Jail Standards Board. They will just be...the staff of the Jail Standards Board will be a division of the Crime Commission.

SENATOR BEUTLER: The Department of Corrections doesn't have budgetary staff that can assist them?

SENATOR SCHMIT: They do not assist them at this time.

SENATOR BEUTLER: But they do have staff?

SENATOR SCHMIT: But there is no connection between the Department of Corrections and the Jail Standards Board at the present time. They are just housed out there.

SENATOR BEUTLER: Administratively what do they come under right now? Do they come under the Department of Corrections administratively?

SENATOR SCHMIT: To a degree they do although there is no supervisory authority whatsoever. There is no control from the Department of Corrections. The Jail Standards Board is an independent board and they were just planted out there, I guess, at the time the board was created and it was felt by members of the board, the board favors the

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LB 328

change. It is just a situation where physically they should have been located with the Crime Commission probably when they were created.

SENATOR BEUTLER: Does the Crime Commission want to have them?

SENATOR SCHMIT: The Crime Commission will accept them, yes.

SENATOR BEUTLER: Will accept them...

SENATOR SCHMIT: The Crime Commission will accept them, the Department of Corrections doesn't...yes, they would like to have them and the Department of Corrections doesn't care. The members of the board approve the move and I don't know of anyone that objects. I didn't know of anyone until you raised an objection, Senator.

SENATOR BEUTLER: Well, I am not necessarily objecting, Senator Schmit. This is just the first time I have seen this idea and I sometimes wonder when we go shifting these different groups around from time to time whether there is any logic or ultimate benefit to what we are doing. I guess I just had occasion to look at LB 536 and I have got some serious questions about that now and I am having a little trouble seeing what the perceived benefit is in this particular case. Logically it seems like Jail Standards does have to do with Corrections, the Department of Corrections. Obviously, it has some relationship to Law Enforcement and Criminal Justice also I suppose but the perceived benefit of transferring this around like this is that somehow they think they are going to get better services from the Nebraska Commission on Law Enforcement and Criminal Justice than they are getting from the Department of Corrections. Now the Nebraska Commission on Law Enforcement and Criminal Justice, is that a code agency?

SENATOR SCHMIT: Yes, it is, I believe.

SENATOR BEUTLER: And does that have a governing board?

SENATOR SCHMIT: There is a Crime Commission, of course, which is the commission.

SENATOR BEUTLER: I guess basically my question is, is this going to give the Governor more or less control over this particular function?

SENATOR NICHOL PRESIDING

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LB 328

SENATOR NICHOL: One minute.

SENATOR BEUTLER: But under the Department of Corrections, I assume that the Governor...

SENATOR SCHMIT: The Governor has no control over them except he appoints the members. He will have no more or less under this provision.

SENATOR BEUTLER: He will have no more or less under this provision.

SENATOR SCHMIT: That is right.

SENATOR BEUTLER: Okay, thank you.

SENATOR NICHOL: Senator Schmit, did you wish to close on your amendment?

SENATOR SCHMIT: I would just move the advancement or the adoption of the amendment, Mr. Chairman.

SENATOR NICHOL: The question is, shall the Schmit amendment be approved? All those in favor vote aye, opposed nay.

CLERK: Senator Nichol voting aye.

SENATOR NICHOL: Have you all voted? Please vote. Have you all voted please? Please vote. Record.

CLERK: 25 ayes, 0 nays, Mr. President, on adoption of the Schmit amendment.

SENATOR NICHOL: The Schmit amendment is adopted. Senator Schmit, what do you want to do with the bill? Excuse me, Senator Kahle, did you wish to speak on the bill?

SENATOR KAHLE: Yes, I have some concerns especially since the amendment did pass and which I voted for. We have had a lot of problems...probably, Senator Schmit, would you be able to answer a question? We have got a lot of problems over the State of Nebraska with jail standards over the last ten years or so, maybe even longer than that. Of course, many counties were substandard in their jail facilities, that we knew it, but a lot of counties did build brand new jails and found out they were substandard. Will this bill change that in any way? As you know we have had a bill introduced that would eliminate jail standards from the lid and we did not pass that out of committee for various reasons but I guess I am concerned how this might

affect those counties that are involved with the problem?

SENATOR SCHMIT: Senator Kahle, the amendment which you just added will have no impact whatsoever upon the standards that have been adopted by the Jail Standards Board. Most of those standards, I am sure, were federally mandated and the Jail Standards Board just is charged with the responsibility of inspection and verification of the physical facility. The amendment as I have offered it here and as it has been adopted has nothing to do with standards. It only deals with the physical movement of the staff from Corrections to Crime Commission. One other reason for the move, of course, Senator Kahle, is that the Jail Standards Board staff physically inspects the facilities. So it makes it a little bit awkward if they are a part of the division in which they are charged with inspection and control of.

SENATOR KAHLE: Could this new department or not department or this change that would come about, is it possible that the jail standards could be altered by them? Or is this set in statutes exactly what has to be done?

SENATOR SCHMIT: You have exactly the same people on the board, regardless. You have two county commissioners, one county sheriff, one chief of police, three at large members and they have one attorney, one district judge and the Director of Corrections. They also have to be located three within each Congressional District. We don't change that in any manner. The physical people are the same. Of course, the terms I believe expire July 1st. There may be some changes in the membership based upon appointments but we do not touch that membership or the distribution at the present time.

SENATOR KAHLE: Okay, then, for the record you are saying that this will have no effect or little effect on the jail standards that we now have?

SENATOR SCHMIT: It will have no impact, the change will have no impact.

SENATOR KAHLE: Thank you.

SENATOR NICHOL: Senator Koch has a couple of friends under the North balcony, Earl and Charlotte Pace. Would you please stand so we may recognize you? Senator Beutler, did you wish to speak to this?

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, the concern I have, and maybe it is not entirely a legitimate

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LB 328, 477

concern, again I would like to ask Senator Schmit a couple of questions, but we are shifting these functions now to the Nebraska Commission of Law Enforcement and Criminal Justice. I think that has been primarily federally funded, is that correct, to date, Senator Schmit?

SENATOR NICHOL: Senator Schmit, will you respond?

SENATOR SCHMIT: I am not an expert on that, certainly, but I would believe you are right, Senator.

SENATOR BEUTLER: I guess my question is this. It seems to me that that commission, if I am remembering correctly, is almost exclusively federally funded and we are going to go into a period now where a large amount of those federal funds may be at jeopardy. In other words, most of the functions of that agency may be ended in the next two or three years if those funds are cut off which there is a good chance they will be. If that is the case, then it appears to me that perhaps we are shifting functions to them which will have the effect of perpetrating a separate agency which may otherwise go out of being in a couple of years, and if it is true that most of these federal funds may disappear, might we not be wiser to leave these commissions and agencies where they are right now and see what happens with the federal funds so that we are not sitting there with an agency that has only one or two functions in three or four years?

SENATOR SCHMIT: If I may answer, the agency, regardless of what happens to the Crime Commission, you are going to have a Jail Standards Board and it exists as a board, an appointed board. You can wipe out the Crime Commission and you are still going to have a Jail Standard Board. You don't wipe that out along with it. At the present time, the location of the staff is all we are changing, its location. There is no jurisdiction of the Crime Commission over the Jail Standards Board. They are an independent board.

SENATOR BEUTLER: Okay, thank you, Senator Schmit.

SENATOR NICHOL: The motion is to advance the bill. All those in favor vote aye, opposed no...say aye, opposed no. Those in favor say aye, opposed nay. The bill is advanced. We will go on to LB 477.

CLERK: Mr. President, I have E & R amendments to LB 477.

SENATOR NICHOL: Senator Kilgarin.

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LB 44, 74, 87, 113, 271, 298,
327, 328, 331, 404, 478, 486,
252, 241, 483

not going to be built for a variety of reasons, environmental costs, eminent domain and many other reasons. You start talking about building a project and immediately you have a whole group of people that rise up in arms to it. We all know that, but yet it is nice to stand up on the floor and make glowing speeches about how we need to store more water. But now when we are talking about an issue where we might be able to save some of that water in the State of Nebraska although it might not be in your area, it might not be in your basin, you might have to drive a couple hundred miles to go fish in it, suddenly you don't want to do that and you want to put language in the statutes that I assure you is going to prohibit it from happening. I suggest that reasonable people that are of conservative nature should agree with me to remove the language in lines 13 and 14.

SPEAKER MARVEL: Okay, the motion is on the second half of the Vickers amendment, is the adoption of that amendment. All those in favor vote aye, opposed vote no. Have you all voted? Senator Vickers, where are you? Oh, there you are. Eight are excused, Senator Vickers.

SENATOR VICKERS: Record the vote. Oh, make it...I want a record vote.

SPEAKER MARVEL: Okay, record.

CLERK: (Read the record vote as found on page 1519 of the Legislative Journal.) 10 ayes, 23 nays, Mr. President, on adoption of the amendment.

SPEAKER MARVEL: The Clerk has some items to read in.

CLERK: Your Enrolling Clerk has presented to the Governor LB 483.

I have a communication from the Governor addressed to the Clerk. (Read communication regarding the signing of LBs 44, 74, 87, 271 and 483 as found on pages 1520 and 1521 of the Legislative Journal.)

Mr. President, Senator Fowler would like to print amendments to LB 404. (See pages 1521 and 1522 of the Journal.)

Your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 241 and find the same correctly engrossed; 298, 327, 328, 486, 113, and 331 and 478, all correctly engrossed, Mr. President. (See pages 1524 and 1525 of the Legislative Journal.)

May 14, 1981

LB 322, 328, 328A, 361

SENATOR SCHMIT: Yes, it is.

SPEAKER MARVEL: All those in favor of that motion vote aye, opposed vote no. Record.

CLERK: 34 ayes, 0 nays on the adoption of the Schmit amendment, Mr. President.

SPEAKER MARVEL: Okay, Senator Schmit.

SENATOR SCHMIT: I move the bill be readvanced, Mr. President.

SPEAKER MARVEL: All those in favor of advancing the bill say aye, opposed no. Motion carried. The bill is readvanced. The next bill on Final Reading, LB 328E.

CLERK: (Read LB 328E on Final Reading.)

SPEAKER MARVEL: All provisions of law having been complied with, the question is, shall the bill pass, 328, with the emergency clause attached? All those in favor vote aye, opposed vote no. Record.

CLERK: (Record vote read. See pages 2042 and 2043, Legislative Journal.) 42 ayes, 0 nays, 3 excused and not voting, 2 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed with the emergency clause attached. The Clerk will now read on Final Reading LB 328A with the emergency clause.

CLERK: (Read LB 328A on Final Reading.)

SPEAKER MARVEL: All provisions of law having been complied with, the question is, shall the bill pass with the emergency clause attached? All in favor vote aye, opposed vote no. Record.

CLERK: (Record vote read. See pages 2043 and 2044, Legislative Journal.) 40 ayes, 0 nays, 3 excused and not voting, 6 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed with the emergency clause attached. The Clerk will now read on Final Reading LB 361 with the emergency clause.

CLERK: (Read LB 361 on Final Reading.)

SPEAKER MARVEL: All provisions of law having been complied with, the question is, shall the bill pass with the emergency clause attached? Those in favor vote aye, opposed

May 14, 1981

LB 3, 11, 11A, 12, 70, 99, 146,
184, 228, 250, 266, 266A, 296,
296A, 310, 328, 328A, 361,
366, 369, 376, 561

Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined LB 184 and recommend that same be placed on Select File with amendments; LB 376 placed on Select File with amendments. Those are both signed by Senator Kilgarin as Chair.

Mr. President, LBs. 3, 11, 11A, 12, 70, 99, 146, 228, 250, 266, 266A, 296, 296A, 310, 328, 328A, 361, 366, and 369 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 3, LB 11, LB 11A, LB 12, LB 70, LB 99, LB 146, LB 288, LB 250, LB 266, LB 266A, LB 296, LB 296A, LB 310, LB 328, LB 328A, LB 361, LB 366, LB 369. Okay, if we may have your attention, the first item will be from the Clerk's desk and the second item will be Senator Warner's. So, Mr. Clerk.

CLERK: Mr. President, I have a letter addressed to the membership from Senator Warner who is Chairman of the Appropriations Committee. (Read. See pages 2052 and 2053, Legislative Journal. Re: Line item vetoes of LB 561.)

SPEAKER MARVEL: Senator Warner, you are recognized to comment on the letter just read.

SENATOR WARNER: All right, Mr. President, again under the provision of the rule, the Appropriations Committee is to make such report, and as the report indicates, there was one item which the majority of the committee did support to offer a motion for override which at the time which will be designated by the Senator representing the majority of the committee's position on that issue. The other portion I might just go through briefly with you is the second and third page which is to give you for your information. Page two that is an analysis of the Governor's line item vetoes points out those vetoes that occurred relative to committee recommendations and it shows what the collective floor amendments were, and the last group indicates the vetoes that were relative to the floor amendments and shows the total dollar amount then of \$728 million to \$74,747 that would remain under the Governor's veto as the legislation now stands. If you look at page 3, headed Financial Status Summary, it is similar to what is on the back of the agenda but in a slightly different form. Above the line at the top it shows again the original committee level of recommendation in those bills. The next shows the allocation for A bills that was originally recommended, that subtotal, and then it shows the amount that was

May 18, 1981

LB 11, 11A, 113, 113A, 228, 266,
266A, 296, 296A, 310, 328,
328A, 334, 334A, 369, 381, 384,
441, 463, 470, 501, 543, 545

RECESS

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: In the North balcony, the Legislature welcomes from Senator Newell's District 5 students from St. Paul Lutheran, Omaha, Nebraska, Richard Ulmer, the teacher. Are you up in the North balcony? If you are, hold up your hand so we can see where you are. Welcome to the Unicameral. Then underneath the South balcony as guests of Senator Shirley Marsh we welcome Mrs. Marie Sal-verda from Sidney, Australia and Anne Johnson from Lincoln. Will you step out and say "hello"? Okay, record.

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

Mr. President, I have communications from the Governor addressed to the Clerk. (Read. See pages 2074 and 2075, Legislative Journal. Re: LB 463. LB 11, 11A, 228, 266, 266A, 296, 296A, 310, 328, 328A, 334, 334A, 369, 113 and 113A.)

SPEAKER MARVEL: The Clerk will read on Final Reading LB 545.

ASSISTANT CLERK: (Read LB 545 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, those opposed vote no. Have you all voted? Clerk, record the vote.

CLERK: (Record vote read. See page 2076, Legislative Journal.) 48 ayes, 0 nays, 1 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. While the Legislature is in session and capable of transacting business, I am about to sign and do sign engrossed LB 545, LB 381, LB 384, LB 441, LB 470, LB 501, LB 543. Now if I could have your attention for a moment and refer you to the agenda, what we propose to do is first of all go to item #5 on motions which has to do with consideration of the override and we propose to...in order to begin to catch up in some of the areas, especially if you look now on the agenda you will find the General File priorities that are left, and so we propose first of all to work until five o'clock and then, secondly, to start at eight o'clock tomorrow morning. Unless we begin to have a schedule like this, there are going to be a lot of bills that'll go down the drain. So we propose to work until five this evening and start work in the morning at