escorted by Senator Wagner and Senator Labedz will also be a member of that escort team. The item number four, Mr. Monen from Omaha, Senator Stoney. Senator Stoney, will you escort Mr. Monen for the inaugural ceremonies and yours is in item number four. Item number five, the Chief Justice will be escorted by Senator Fowler. We picked the people in the various districts for this. Justice Boslaugh comes from that infamous city, Hastings, and he will be escorted by me. Senator (sic) McCowan comes from Beatrice and he will be escorted by Senator Burrows. Justice Clinton will be escorted by Senator Clark. Justice Brodkey will be escorted by Senator Fitzgerald. Justice White will be escorted by Senator Dworak and Justice Hastings will be escorted by Senator Marsh. Now, Mr. President, do we have others? Does that complete the list?

PRESIDENT: I think that completes the list. We were going to have Senators Vickers and Hefner accompany Senator Stoney on the escort committee on the Workmen's Compensation Judges.

SPEAKER MARVEL: Sorry.

PRESIDENT: I believe that completes it, Mr. Speaker.

SPEAKER MARVEL: Anybody have any questions?

PRESIDENT: Any questions? This will be at two o'clock and we will come back at one-thirty, a little prior thereto. Go ahead, Mr. Speaker.

SPEAKER MARVEL: Mr. President, it has been pointed out that Martin Kahle is also in the district represented by Senator Payne so why don't we add Martin Kahle's name. Any other comments or suggestions? Is that all right? Yes. Any others? Okay.

CLERK: We've got about a half a dozen bills, Senator. Mr. President, if I may?

PRESIDENT: Proceed, Mr. Clerk.

CLERK: Read LB 31-33 by title for the first time as found on pages 83-84 of the Legislative Journal.

PRESIDENT: The Chair would like to take this opportunity to introduce a guest, Mr. Bill Snell, the city manager of the City of Sidney. Would Bill come out here and be recognized? Senator Clark is sitting with him. Welcome to the Legislature, Bill. Go ahead, Mr. Clerk.

CLERK: Continued to read LB 34, 35 by title for the first time.

Mr. President, I have a lobby registration report for the interim period covered by April 19, 1980, through January 6, 1981. That will be inserted in the Legislative Journal. (See page 94 of the Journal.)

Mr. President, I have a reference report from the Executive Board referring legislative bills 1-36. That is signed by Senator Lamb as Chairman. (See pages 94-95 of the Legislative Journal.)

Mr. President, I have in my possession proposed lease renewals as supplied us by the State Building Division. Those will be on file in my office. I also have a report from the Nemaha Natural Resources Districts regarding payment of attorney fees. (See page 95 of the Journal.)

Mr. President, Senator Hefner would like to announce that Senator Barrett has been elected as vice chairman of the Miscellaneous Subjects Committee.

Mr. President, Senator Labedz would like to announce that Senator Pirsch has been elected vice chairman of the Constitutional Revision and Recreation Committee.

Mr. President, Senator Marvel would once again like to announce a meeting or a chairperson's caucus for Monday, January 12 at 9:00 a.m. in Room 1520. It is a chairperson's caucus for Monday, January 12 at 9:00 a.m. in Room 1520.

PRESIDENT: The Chair will recognize Speaker Marvel once more for additional announcement concerning procedure.

SPEAKER MARVEL: I think, Mr. President, the first thing we need to note is the fact that we are using valuable time that we may wish we had at the end of this session. I guess I am going to repeat this every day for a while and so would you please put on the Clerk's desk whatever legislation you have so that we can once again begin processing this legislation which means that the Exec Board needs to meet and refer the bills as soon as they have been processed by the Clerk and, therefore, I remind you first of all, get the bills in and, secondly, that the Exec Board then will have to meet to refer the bills. Now this process has to go on even if we may only meet until noon. Now, Mr. President, is that the... Pat, is there anything else to say about the reference of bills?

CLERK: No, sir, not that I am aware of. I think Senator Lamb might want to make a...

Your committee on Judiciary gives notice of public hearing for March 17.

Your committee on Government, Military and Veterans Affairs gives notice of March 5, 6, 12 and 13, signed by respective Chairs.

Mr. President, your committee on Urban Affairs whose chairman is Senator Landis to whom is referred LB 33 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; LB 122 indefinitely postponed, (Signed) Senator Landis.

Your committee whose chairman is Senator Nichol instructs me to report that LB 96 is advanced to General File and LB 120 advanced to General File, (Signed) Senator Nichol. (See page 449 of the Legislative Journal.)

SPEAKER MARVEL: Senator Schmit, do you want to adjourn us until tomorrow morning at nine o'clock?

SENATOR SCHMIT: Mr. Chairman, I move we adjourn until nine o'clock tomorrow morning.

SPEAKER MARVEL: The motion is adjournment until 9:00 a.m. on Friday, February 6, 1981. All those in favor say aye, opposed no. Motion carried, we are adjourned.

Edited by <u>Orlean McCrory</u>.

PRESIDENT: Any further discussion on LB 336A? If not, that will constitute the opening and the closing. All those in favor signify by saying aye, opposed nay. Record the vote.

CLERK: 32 ayes, 0 nays, Mr. President, on the motion to advance the A bill.

PRESIDENT: Motion carries. LB 336A is advanced to E & R Initial. The next bill is LB 33.

CLERK: Mr. President, LB 33 is offered by Senator Vickers. (Read title.) The bill was read on January 8 and referred to Urban Affairs. It was advanced to General File. There are no committee amendments pending, Mr. President. I do have one from Senator Beutler, however.

PRESIDENT: Senator Vickers, you may explain the bill at this time.

SENATOR VICKERS: Mr. President and members, first of all, on the agenda there is a slight mistake. In order to clarify it in anybody's mind, this is to allow villages and cities of the second class to sell public property at public auction, not rural property at public auction as it says in the agenda. I was afraid that somebody might think that our towns would start selling our farms or something and that was a mistake in printing. The intention of LB 33 is to clarify the statutes that the villages and cities of the second class operate right now under as far as disposing of public property is concerned. It sets up a system whereby they can dispose of their property at public auction rather than at a conveyance. The problem that the present system has is that even though the city board might operate in very good fashion, they think they have the top offer from an individual and agree to sell at that price, and then along comes somebody later on and says, you know, I would have paid you a little bit more and it opens up a lot of questions as to perhaps favoritism within the city fathers, and even though it probably is not the case. It just seems to me that this is a more reasonable way of doing it, allowing them to sell it at a public auction. You will notice that the village or city does still have the option of setting a minimum price so that there will be not a system set up where they would actually wind up practically giving away some property if the auction was held on a nice, sunshiny day like today, perhaps. I think you will notice there wasn't any opposition to this. As I say, it clarifies the language in the statutes and makes it what would seem to me to be a more reasonable approach to allowing these small communities to dispose of

public property.

PRESIDENT: Any further discussion? A motion on the desk, I believe. Mr. Clerk.

CLERK: Mr. President, Senator Beutler moves to amend the bill. (Read Beutler amendment found on page 485, Legislative Journal.)

PRESIDENT: The Chair recognizes Senator Beutler.

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, very quickly, this is a small technical amendment which has Senator Vickers' approval. The notice requirement in the bill says that the notice has to be published three consecutive weeks in a legal newspaper, published, et cetera, et cetera. I am putting in published once each week for three consecutive weeks because it is not Senator Vickers' intent, for example, if you have a daily paper that you publish it twenty-one times. So this just clarifies that we are doing it once each week for three consecutive weeks which is the general provision with regard to notices on a lot of items in our law. Thank you.

PRESIDENT: The Chair recognizes Senator Vickers on speaking to the Beutler amendment.

SENATOR VICKERS: Yes, Mr. President, members, I thoroughly agree with Senator Beutler in this amendment. It is a very good amendment and it does clarify, as Senator Beutler indicated, that exactly what we are talking about. I might also point out for the body's general information that the rest of the language stricken, from my observacion, at least, I think most all those small cities and villages are well aware of what newspaper is published in their area and that stricken language seemed to be very unnecessary. I would urge the body's adoption of Senator Beutler's amendment.

PRESIDENT: Any further discussion of the Beutler amendment? Senator Beutler, anything further on your amendment? The question then is the adoption of the Beutler amendment to LB 33. All those in favor signify by voting aye, opposed nay. Record the vote.

CLERK: 31 ayes, 2 nays, Mr. President.

PRESIDENT: Motion carries. The Beutler amendment is adopted. Senator Vickers, anything further on LB 33?

SENATOR VICKERS: Mr. President, I'd just move that LB 33 be

advanced to E & R Initial.

PRESIDENT: No further discussion, so the question is the advance of LB 33 to E & R Initial. All those in favor vote aye, opposed nay. Record the vote.

CLERK: 27 ayes, 1 nay, Mr. President.

PRESIDENT: Motion carries and LB 33 is advanced to E & R Initial. We will go on then to LB 96, Mr. Clerk.

CLERK: LB 96 is offered by Senator Bill Barrett. (Read title.) The bill was read on January 12th and referred to the Judiciary Committee. It was advanced to General File. I have no amendments pending, Mr. President.

PRESIDENT: The Chair recognizes Senator Barrett.

SENATOR BARRETT: Mr. Speaker and members, I move that LB 96 be moved to E & R Initial. LB 96 is a curative bill. It is designed to cure certain defects in real estate titles where persons attempt to take title as for example, John Smith or Mary Smith, using the disjunctive "or" as opposed to the conjunctive "and". Common law dictates that real estate conveyances should use the word "and" between the names of the two grantors, and because of the times in which we live I presume, people are so accustomed to taking title to personal property using the word "or" and this sometimes extends over to real estate conveyances which is improper, it renders the title ineffective, renders the instrument ineffective and can create some problems down the line. The bill itself as you will read in your bill book is very short, very much to the point, only five lines. It simply creates the presumption that deeds using the word "or" between the names of the grantees are presumed to have the same effect as deeds which use the word "and" between the names of the grantees. fore, the obvious intent of the people to the conveyances will not be disregarded simply because of a technicality in the law. That is it in a nutshell and I would urge your support for LB 96, and if the passing of the cake around to the body, the cake being supplied by Senator Pirsch, is not intimidation enough, I don't know what is. I urge the support.

PRESIDENT: Any further discussion on LB 96? Hearing none, Senator Barrett, I guess that is your opening and your closing because there is no one \in lse who wants to discuss it. So the question is the advance of LB 96 to E & R Initial. All those in favor vote aye, opposed nay. Record the vote. Record the vote.

February 12, 1981

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Monsignor Charles J. Keenan of the Blessed Sacrament Parish, Lincoln, Nebraska.

MONSIGNOR KEENAN: Prayer offered.

SPEAKER MARVEL: Roll call. Will you please record your presence. Have you all recorded your presence? Record the vote.

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

SPEAKER MARVEL: Do you have some items to read into the record?

CLERK: Yes, sir, I do. Mr. President, your committee on Enrollment and Review respectfully reports that we have carefully examined and reviewed LB 336 and recommend that same be placed on Select File with amendments; 336A Select File; 33 Select File; 96 Select File; 31 Select File, 214 Select File, 120 Select File and 85 Select File with amendments, (Signed) Senator Kilgarin, Chair. (See pages 512-513 of the Legislative Journal.)

Mr. President, your committee on Banking, Commerce and Insurance whose chairman is Senator DeCamp to whom is referred LB 195 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendments; 272 General File with amendments; 273 General File with amendments and 355 General File with amendments, (Signed) Senator DeCamp, Chair. (See pages 512-514 of the Legislative Journal.)

Mr. President, your committee or Enrollment and Review respectfully reports we have carefully examined and engrossed LB 14 and find the same correctly engrossed; 18, 41, 51, 64, 65 and 121 all correctly engrossed.

And finally, Mr. President, I have a lobby registration report covering the week of February 6 through February 11, 1981. (See page 515 of the Journal.)

SPEAKER MARVEL: Okay, we will go to item #4, introduction of new bills.

CLERK: Mr. President, Senator Nichol moves to suspend Rule 5, Section 5 so as to permit the introduction of Request 889 by himself.

SPEAKER MARVEL: Senator Nichol.

but I would suggest to you that you take a look at the worksheet and see the number of bills that are resting peacefully and we are either going to have to stir them up or bury them, one of the two. And so it is all right but let's try to hold this to a minimum.

PRESIDENT: All right, we will proceed then with the next bill on Select File, LB 336. Mr. Clerk.

CLERK: There are E & R, yes.

PRESIDENT: The Chair recognizes Senator Kilgarin.

SENATOR KILGARIN: I move the E & R amendments to LB 336.

PRESIDENT: The motion before the House is the adoption of the E & R amendments on LB 336. Any discussion? All those in favor of the E & R amendments signify by saying aye. Opposed nay. The E & R amendments on LB 336 are adopted. Senator Kilgarin.

SENATOR KILGARIN: I move LB 336 be advanced to E & R for Engrossment.

PRESIDENT: Motion to advance LB 336 to E & R for Engrossment. Any discussion? All those in favor signify by saying aye. Opposed nay. LB 336 is advanced to E & R for Engrossment.

CLERK: Nothing on 336A, Senator.

PRESIDENT: LB 336A. Senator Kilgarin.

SENATOR KILGARIN: I move LB 336A be advanced to E & R for Engrossment.

PRESIDENT: Motion to advance LB 336A to E & R for Engrossment. Any discussion? All those in favor signify by saying aye. Opposed nay. My hearing is not quite so good this early in the morning so I will say that LB 336 is advanced to E & R for Engrossment. Please speak up a little louder so I can hear you a little bit more clearly. Senator Nichol, I would appreciate that. Thank you. Okay, LB 33. Senator Kilgarin.

SENATOR KILGARIN: No amendment.

CLERK: Nothing, Senator.

SENATOR KILGARIN: I move LB 33 be advanced to E & R for Engrossment.

PRESIDENT: Motion to advance LB 33 to E & R for Engrossment. Any discussion? All those in favor signify by saying aye. Opposed nay. Now that is better. LB 33 ts advanced to E & R for Engrossment. LB 96.

CLERK: Nothing, Senator.

PRESIDENT: Senator Kilgarin.

SENATOR KILGARIN: I move LB 96 be advanced to E & R for Engrossment.

PRESIDENT: Motion to advance LB 96 to E & R for Engrossment. Any discussion? All those in favor signify by saying aye. Opposed nay. LB 96 is advanced to R & R for Engrossment. LB 31.

CLERK: Nothing, Senator.

PRESIDENT: Senator Kilgarin.

SENATOR KILGARIN: I move LB 31 be advanced to E & R for Engrossment.

PRESIDENT: Motion to advance LB 31 to E & R for Engrossment. Any discussion? All those in favor signify by saying aye. Opposed nay. LB 31 is advanced to E & R for Engrossment. LB 214.

SENATOR KILGARIN: There are amendments?

CLERK: There are E & R, Senator.

SENATOR KILGARIN: I move the E & R amendment to LB 214.

PRESIDENT: Motion to adopt the E & R amendment on LB 214. Any discussion? All those in favor signify by saying aye. Opposed nay. The E & R amendments are adopted on LB 214.

CLERK: Mr. President, Senator Johnson now moves to indefinitely postpone LB 214. Pursuant to our rules, that will lay the bill over.

PRESIDENT: Okay, that will be held over. That was just put on the desk?

CLERK: Yes, sir.

PRESIDENT: So that is held. LB 120.

February 18, 1981

LR 15 LB 31, 33, 85, 96, 120, 336, 336A

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by the Reverend Rex Bevins, St. Paul Methodist Church.

REVEREND REX BEVINS: Prayer offered.

PRESIDENT: Roll call.

CLERK: Mr. President, Senator Kremer would like to be excused until he arrives; Senator Sieck until he arrives. Mr. President, Senator Labedz and Senator Burrows until they arrive.

PRESIDENT: Senator Lowell Johnson, do you want to press your button showing you are here, please. Senator DeCamp, will you push your button so we can start out. Thank you. Record the presence. Mr. Clerk.

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

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

CLERK: I have no corrections, Mr. President.

PRESIDENT: All right, the Journal stands correct as published. Are there any other messages, reports or announcements?

CLERK: Mr. President, first of all Senator Maresh would like to have a meeting of the Business and Labor Committee now underneath the north balcony for just a few minutes. Senator Maresh would like to have a Business and Labor meeting underneath the north balcony now for just a few minutes.

Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 31 and find the same correctly engrossed; 33, 85, 96, 120, 336, 336A, all correctly engrossed.

Mr. President, LR 15 is ready for your signature.

PRESIDENT: While the Legislature is in session and capable of doing business I propose to sign and do sign LR 15.

CLERK: Mr. President, I have a report from the Accounting and Budgeting Office regarding session employees.

Mr. President, I have an Attorney General's Opinion

Will all legislators please return to your ceats and we are ready to proceed with LB 31 on Final Reading but we have to have everybody in their seats first. All legislators must be in their seats before we can proceed with Final Reading. Would you please find your seats? The Clerk will read LB 31 on Final Reading.

CLERK: (Read LB 31 on Final Reading.)

SPEAKER MARVEL: All procedure having been complied with, the question is, shall the bill pass? Those in favor vote aye, opposed vote no. Record the vote.

CLERK: (Read record vote. See pages 621 and 622, Legislative Journal.) 46 ayes, 2 nays, 1 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. We will now proceed on Final Reading to LB 33.

CLERK: (Read LB 33 on Final Reading.)

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

CLERK: (Record vote read. See page 622, Legislative Journal.) 47 ayes, 0 nays, 2 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. The Clerk will now read on Final Reading LB 85.

CLERK: (Read LB 85 on Final Reading.)

SPEAKER MARVEL: All procedures relative to procedure having been complied with, the question is, shall the bill pass? Those in favor vote aye, opposed vote no. Have you all voted? Have you all voted? The Clerk will record.

CLERK: (Record vote read. See page 623, Legislative Journal.) 29 ayes, 19 mays, 1 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. The Clerk will now read on Final Reading LB 96.

CLERK: (Read LB 96 on Final Reading.)

SPEAKER MARVEL: All provisions of law relative to procedure having been complied with, the question is, shall the bill

Mr. President, your committee on Ag will have an Executive Session at 8:50 a.m., tomorrow morning underneath the North balcony. Your committee on Ag tomorrow morning at 8:50 a.m.

Mr. President, some bills 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 31, LB 33, LB 85, LB 96, LB 120. It is my privilege to present underneath the North balcony four guests of Senator Cope, Mr. and Mrs. Melvin Thiemann of Pawnee City; Mrs. Rollie Ayres, Wilma Klein and Mrs. Art Schrepel. Will you please stand so that you and we may wish Senator Cope "Happy Birthday". There is a notation here that underneath the South balcony there will be Cope cakes on the table. I am only reading what is written here. Senator Cope, "Happy Birthday" to you. Underneath the North balcony, it is my privilege to present the former Senator Arnold Ruhnke and Mrs. Ruhnke. Where are you folks? We now proceed to item #6, Select File, LB 178. Mr. Clerk.

CLERK: Mr. President, LB 178 was considered by the body on February 17. At that time the E & R amendments were adopted. There was an amendment by Senator Beutler that was adopted. Pursuant or subsequent to that, Senator Beutler made a motion to indefinitely postpone the bill. I understand, Mr. President, he wishes to temporarily withdraw that motion and offer instead amendments that I believe have been distributed or are being distributed right now, the amendments by Senator Beutler.

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, again LB 178 is the bill that was submitted by the Department of Revenue having to do with collection procedures. It was amended once on General File or Select File, and subsequent to that time the staff of the Revenue Committee got together with the Department of Revenue and also with representatives from commerce and industry and the banking association to take care of an additional series of technical problems and there were a couple of substantive changes but all the changes, as I understand it, had to do with making the provisions applicable to all different types of taxes, that is, making them uniform, making the notice provisions uniform, for example, and also to require the state prior to selling property at a sale to give notice to other lien holders that the property is about to get sold so that other lien holders would have knowledge of the sale and have an opportunity to protect their rights. There is some cleanup language and some inconsistencies cleared up and I think that is about the sum and substance of what is in the committee's. Basically these are Department of Revenue suggestions. Thank you.

February 24, 1981

SPEAKER MARVEL PRESIDING

REV. JOSEPH A. MROCZKOWSKI: Prayer offered.

SPEAKER MARVEL: Will you please record your presence? Record.

CLERK: Quorum present, Mr. President.

SPEAKER MARVEL: Underneath the North balcony, it is my privilege to present visitors to Nebraska sponsored by Partners of the Americas and the sponsors are Mrs. Ben Schulze and Gilbert Erickson and the visitors are coordinated with Dr. Fortes and his wife Maranna and the technical title is the Coordinator of Congressional Affairs for the Ministry of Education and Cultural Affairs from Brazil. Would you folks please stand so we can welcome you to the Unicameral. Okay, there is some items on the Clerk's desk and we will start with those.

CLERK: Mr. President, a communication from the Governor addressed to the Clerk regarding signing of LBs 14, 18, 41, 45, 46, 64, 81, 82, 121, 130 and 140. (See page 639 of the Legislative Journal.)

Your Enrolling Clerk respectfully reports that she has on February 23 at 2:37 p.m. presented to the Governor the following bills: 31, 33, 85, 96 and 120.

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

Your committee on Appropriations whose chairman is Senator Warner to whom is referred LB 158 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendment, (Signed) Senator Warner, Chair.

Mr. President, I have a report from the State Employment and Training Council. It will be on file in my office.

Mr. President, Senator Cullan asks unanimous consent to add his name to LB 213 as cointroducer.

SPEAKER MARVEL: Do you have any other items?

CLERK: No. sir.

SPEAKER MARVEL: Okay, item #4, resolutions.

March 2, 1981

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: (Microphone not on.)

DR. ROBERT PALMER: Prayer offered.

PRESIDENT: Roll call. Senator Cope, will you push your button. Thank you. Now we're....record the presence, Mr. Clerk.

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 stands correct as published. Any other messages, reports or announcements?

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 434 and recommend that same be placed on Select File. (Signed) Senator Kilgarin, Chair.

Mr. President, communication from the Governor addressed to the Clerk. Engrossed LB 31, 33, 85, 96 and 120 were signed by me on February 27 and delivered to the Secretary of State. Sincerely, Charles Thone, Governor.

Mr. President, I have an Attorney General's Opinion addressed to Senator Vard Johnson. (See pages 701 and 702 of the Legislative Journal.)

PRESIDENT: We are waiting for someone from the Agriculture Committee, Senator Schmit or someone to take care of Agenda Item #3, Motions, motion to introduce a new bill. The Legislature will be at Ease until Senator Schmit gets here to handle the first i em on the agenda.

EASE

PRESIDENT: The Chair recognizes Senator Schmit for purpose of introduction of a new bill.

SENATOR SCHMIT: Mr. President and members of the Legislature, I ask the body to consider the introduction of this bill by the Committee on Agriculture and Environment. The bill was introduced last session. It was heard. It was, I believe, four bills down on the worksheet for about