

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....

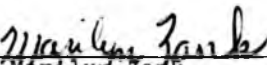
SPEAKER MARVEL: It will be in the Journal?

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

LB 51, 63, 74, 94, 106, 113A, 150, 154,
190, 195, 225, 261, 272, 281, 284A, 351,
409, 418, 421, 426, 466, 229

March 12, 1981

Mr. President, some items to read in, LB 113A by Senator DeCamp. (Read LB 113A for the first time by title.) LB 284A by Senator DeCamp. (Read LB 284A for the first time by title.)

Your Enrolling Clerk respectfully reports that she has on this day presented to the Governor LB 51, 150, 195, 272, 409 and 154.

Your Committee on Education reports 63 indefinitely postponed. (Signed) Senator Koch.

Your Committee on Public Works reports 229 to General File and 94 General File with amendments. (Signed) Senator Kremer.)

Your Committee on Banking reports 421 to General File with amendments. (Signed) Senator DeCamp.

Your Committee on Public Health reports 261 and 466 to General File with amendments.

Mr. President, Senator Nichol would like to print amendments to LB 74 in the Journal. Banking, Commerce and Insurance Committee sets hearing. Senator Koch would like to print amendments to LB 190. Senator Kilgarin asks unanimous consent to be excused tomorrow. I have notice of priority bill designation of the Speaker. Your Committee on Banking, Commerce and Insurance reports 426 to General File with Amendments. (See pages 882 through 896 of the Legislative Journal.)

Mr. President, Senator Schmit would like to have the Ag and Environment Committee tomorrow morning at eight o'clock in Room 1520, Ag and Environment Committee tomorrow morning.

Mr. President, your Committee on Government, Military and Veterans Affairs reports 281 to General File with amendments; LB 351 General File; LB 418 to General File; LB 106 as indefinitely postponed; and LB 225 as indefinitely postponed. Those are all signed by Senator Kahle as Chairman.

Mr. President, the Business and Labor Committee will have an Exec Session at 1:00 p.m. today in Room 1019; Business and Labor at 1:00 p.m. today.

Mr. President, Senator Vard Johnson asks to be excused tomorrow.

March 17, 1981

LB 245A, 351

of the book and that is why I wanted the question answered before we proceeded. Thank you.

SENATOR WESELY: Thank you.

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

CLERK: 25 ayes, 6 nays on the motion to advance the A bill, Mr. President.

SPEAKER MARVEL: The motion is carried. The A bill is advanced. Okay, the Chair recognizes Senator Von Minden.

CLERK: Mr. President, if I may, LB 351. (Title read.) The bill was read on January 19. It was referred to Government. The bill was advanced to General File.

SPEAKER MARVEL: Senator Wagner.

SENATOR WAGNER: Mr. Speaker and members...

SPEAKER MARVEL: I caution you that we are in a time bind so we have to keep moving.

SENATOR WAGNER: I will make it very short, Mr. Speaker, and I know what you are talking about. LB 351 was introduced and cosigned by a number of Senators here in the State Legislature and, basically, what it does is to rename the Douglas County Veterans Home after Thomas Fitzgerald. Only the leprechauns could bring this bill up at this particular time to try to get it through today. So I will make my comments short. I think Senator Fitzgerald is a very unique person. It is very unusual that we have this many Senators cosign a bill and at this time I will yield the rest of my time to Senator Von Minden.

SPEAKER MARVEL: The Chair recognizes Senator Von Minden.

SENATOR VON MINDEN: Mr. Chairman, fellow Senators, just a couple words about Senator Fitzgerald. As you know, right after Pearl Harbor he enlisted in the Army, was a foot soldier in the infantry, therefore, he went to Italy and he served in the ski patrol. And on getting out of the Army, he immediately joined the VFW, the American Legion, and the Veterans of Foreign Wars and he has been working ever since for the veterans. I will yield the rest of my time to John DeCamp.

SPEAKER MARVEL: Senator DeCamp.

SENATOR DeCAMP: Mr. President, again in the interest of brevity, I sponsor or I sign the bill along with a number of others and my primary reason was my work with Senator Fitzgerald in the area of disabled veterans. Both Senator Fitzgerald and I are members of the Disabled American Veterans, even though I don't look like it, as a result of injuries received in different wars and I know his work has been intense in that field over the years and I urge you to advance the bill today.

SPEAKER MARVEL: Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, because I will not vote to name a building after somebody who is living, I have to make it clear that my failure to vote on this bill has nothing to do with an attitude that I have toward Senator Fitzgerald but there come times and circumstances when we have to do things that are unpleasant for us, that are distasteful, and the easiest thing would be to avoid the issue and do what everybody else would expect us to do. I am sure Tom will understand my position on this matter, but even if he didn't, then I would still have to take this position. I think there is not a person in this body who was here when they were talking about naming that bill (sic) after Mr. Devaney who can forget the strong opposition I had to that measure. Again it had nothing to do with the individual after whom the building would be named but I have just adopted for myself the principle of not voting to name any building or state structure after a person who is living. As accommodating as Senator Fitzgerald is, I would not ask, as some people have suggested, that he take care of this objection of mine and perhaps some other Senators by giving up the ghost. That is quite a bit to ask of somebody just to have a building named when he will get enough votes to have it named for him anyway. But, Tom, you know that I wouldn't be who I am if I violated what I honestly believe even for you and I hope you understand, but if you don't, then I still have to do that which is right for me to do.

SPEAKER MARVEL: The Chair recognizes Senator Wesely. You have an amendment.

SENATOR WESELY: Mr. Speaker, I do have an amendment which deals with the concerns of Senator Chambers which would limit the present exclusion of naming a building for any living elected official or citizen of the state, reasserting that except for the naming of this veterans home for Tom Fitzgerald, but in the interest of time, I will withdraw that amendment at this time, and ask that it be printed in the

March 17, 1981

LR 40
LB 351

Journal for consideration on Select File.

SPEAKER MARVEL: The Chair recognizes Senator Labedz.

SENATOR LABEDZ: I reluctantly call the question.

SPEAKER MARVEL: Okay, the question has been called for. Do I see five hands? All those in favor of ceasing debate vote aye, opposed vote no. Record.

CLERK: 30 ayes, 0 nays on the motion to cease debate, Mr. President.

SPEAKER MARVEL: Senator Wagner, the Chair recognizes you to close.

SENATOR WAGNER: Mr. Speaker, I think we have an unusual situation here and a very fine person to name the building after, so basically what I would just say is we just close on this. Tom is a very unique individual. I doubt if any other Senator here could probably wind up naming a building after him so I just ask for your support and vote for the bill.

SPEAKER MARVEL: Okay, the motion is to advance the bill to E & R for review. All those in favor vote aye, opposed vote no. Have you all voted? Have you all voted? Clerk, record the vote.

CLERK: 31 ayes, 1 nay on the motion to advance the bill, Mr. President.

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

CLERK: Mr. President, before we adjourn, a series of items to read in.

Senator Wesely wants to print amendments to LB 351.

Miscellaneous Subjects will hold an executive session Thursday at one-thirty.

Senator Hefner would like to be excused all day Wednesday, March 18.

Your committee on Judiciary gives notice of a hearing.

A new resolution, LR 40 by Senators Maresh, Sieck and Warner. (Read. See page 985, Legislative Journal.) That will be laid over.

March 19, 1981

LR 26, 28, 30 - 32, 35 - 39
LB 116, 230, 245, 245A, 248, 351,
367, 381, 424, 463, 484, 511

PRESIDENT LUETDKKE PRESIDING

PRESIDENT: Prayer by Dr. Randall Sailors, First United Methodist Church, Waverly, Nebraska.

DR. RANDALL SAILORS: (Prayer offered.)

PRESIDENT: Roll call. Record the presence, Mr. Clerk.

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

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

CLERK: There are no corrections to the Journal, Mr. President.

PRESIDENT: The Journal stands correct as published. Any messages, reports or announcements?

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 245 and recommend that same be placed on Select File with amendments; 245A Select File; 351 Select File with amendments. Signed Senator Kilgarin as Chair.

Mr. President, your committee on Nebraska Retirement Systems whose Chairman is Senator Fowler reports 424 to General File; 248 to General File with amendments; 463 to General File with amendments; 367 Indefinitely postponed. All signed by Senator Fowler as Chair.

Mr. President, your committee on Appropriations whose Chairman is Senator Warner reports LB 381 to General File with amendments; 116 as indefinitely postponed; 484 as indefinitely postponed. All signed by Senator Warner as Chair.

Your committee on Public Works whose Chairman is Senator Kremer reports LB 230 to General File with amendments; and LB 511 to General File with amendments. Signed Senator Kremer as Chair.

I have an Attorney General's opinion addressed to Senator DeCamp regarding LB 245. That will be inserted in the Journal. (See page 1015.)

I have a series of resolutions ready for your signature, Mr. President, LRs 26, 28, 30, 31, 32, 35, 36, 37, 38, and 39.

March 26, 1981

LB 290, 351, 245

know what those words mean. Record the vote.

CLERK: 29 ayes, 8 nays on the motion to advance the bill, Mr. President.

SPEAKER MARVEL: The motion is carried. The bill is advanced. Do you have some items to read? We are going to go to 138 next.

CLERK: Mr. President, Senator DeCamp requests consent to print amendments to LB 245. (See page 1145 of the Legislative Journal.)

SPEAKER MARVEL: The Legislature will be at ease for a couple minutes.

EASE

SPEAKER MARVEL: Okay, we are ready to go back on Select File and the first bill is LB 351.

CLERK: Mr. President, LB 351, there are E & R amendments to LB 351, Mr. President.

SPEAKER MARVEL: Senator Wesely, do you want to move the E & R amendments?

SENATOR WESELY: Mr. Speaker, I move the E & R amendments to LB 351.

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

CLERK: Mr. President, I now have an amendment from Senator Wesely, found on page 984 of the Journal.

SPEAKER MARVEL: Senator Wesely.

SENATOR WESELY: Thank you, Mr. Speaker, the amendment which is found in the Journal is something that I was proposing to bring the bill back into the original form of the statutes but allow for the exception of naming for the veterans' home in Douglas County for Senator Fitzgerald. I wanted to make sure that that was done and I totally support that but I also wanted it to express a concern about making that a standard policy to name buildings for living persons. However, in discussions with Senator Wagner and Senator Koch and several other individuals I think it would be best to not amend the bill at this time and rather to look forward to a year or two from now coming in with legislation that would deal with

March 26, 1981

LB 351, 17

the issue in a broader sense but to go ahead at this point and pass the bill and name the home for Senator Fitzgerald who is most deserving of that recognition and so I ask for unanimous consent to withdraw my amendment at this point. Yes, I would like to ask that my amendment be withdrawn.

SPEAKER MARVEL: Hearing no objections, so ordered.

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

SPEAKER MARVEL: Senator Wagner, do you want to move the advancement of the bill?

SENATOR WAGNER: Mr. Speaker, I would move the advancement of the bill.

SPEAKER MARVEL: The motion before the House is the advancement of LB 351 to E & R for engrossment. All those in favor of that motion vote aye, opposed vote no. This is the advancement of 351 to E & R for engrossment. Have you all voted? Record the vote.

CLERK: 26 ayes, 3 nays on the motion to advance the bill, Mr. President.

SPEAKER MARVEL: The motion is carried. The bill is advanced. The next item of business is LB 17E.

CLERK: Mr. President, there are E & R amendments to LB 17.

SPEAKER MARVEL: Senator Koch, do you want to move the E & R amendments to LB 17?

SENATOR KOCH: Mr. Speaker, I so move the E & R amendments to LB 17.

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

CLERK: I have nothing further on the bill, Mr. President. Just a second. Senator Pirsch has an amendment, Mr. President. Mr. President, Senator Pirsch moves to amend the bill.

SPEAKER MARVEL: Senator Pirsch.

SENATOR PIRSCH: Yes, thank you, Mr. President, members of the body, I move to amend LB 17. On page 5, Line 23, I am sorry I did not get my amendment up there sooner. I have a concern with the words, "or special election." When we are

March 30, 1981

LB 17, 132, 351, 446

SENATOR MARSH: May we go to lunch?

SPEAKER MARVEL: The Clerk has some items to read in and then we will go. So if you would like to go, that is fine. Go ahead.

CLERK: Mr. President, Government Committee will meet underneath the North balcony right now. Government Committee, Senator Kahle says right now.

Mr. President, your committee on Enrollment and Review respectfully reports that they have examined and engrossed LB 17 and find the same correctly engrossed, 351 correctly engrossed, 446 correctly engrossed. (Signed) Senator Kilgarin.

Senator Kremer would like to print amendments to LB 132 in the Journal, Mr. President. That is all I have.

SPEAKER MARVEL: Senator Marsh, do you want to recess until 1:26 p.m. 1:36 p.m., I am sorry.

SENATOR MARSH: I move we recess until 1:36 p.m.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. Motion is carried. We are recessed until 1:36 p.m.

Edited by

Arleen McCrory
Arleen McCrory

April 2, 1981

LB 351

SENATOR STONEY: It is very apparent to me now that the comment that Senator Koch made on General File relative to this issue it properly frames the issue. This legislature does give and it does take away. Thank you.

SPEAKER MARVEL: On Final Reading, LB 351.

CLERK: Read on Final Reading, LB 351.

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

CLERK: 40 ayes, 4 nays, 2 present and not voting, 3 excused and not voting. Vote appears on page 1274 of the Legislative Journal.

SPEAKER MARVEL: The bill is declared passed on Final Reading. The Clerk will now read on Final Reading LB 446.

ASSISTANT CLERK: Read on Final Reading LB 446.

SPEAKER MARVEL: All provisions of law relative to procedure having been complied with, the question is, shall the bill pass with the emergency clause attached. Those in favor vote aye, opposed vote no. LB 446 on Final Reading. Have you all voted? Record the vote.

CLERK: 44 ayes, 1 nay, 2 excused and not voting, 2 present and not voting. Vote appears on page 1275 of the Legislative Journal.

SPEAKER MARVEL: The bill is declared with the emergency clause attached.

April 6, 1981

LR 50
LB 40, 22A, 158A, 317A,
298, 253, 253A, 271,
132, 466, 174, 351, 125,
167

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: The opening prayer will be given by
Senator Rumery.

SENATOR RUMERY: Offered prayer.

SPEAKER MARVEL: Roll call. Please record your presence.
While we are in the process of the roll call may I indicate
to you that today is Senator Kahle's birthday. We wish you
all the best. Record.

CLERK: Quorum present, Mr. President.

SPEAKER MARVEL: Do you have anything under three?

CLERK: Mr. President, your committee on E & R respectfully
reports that we have carefully examined and reviewed LB 40
and recommend the same be placed on Select File. 22A, 158A,
317A, 298, 253, 253A. . . .

SPEAKER MARVEL: Just a minute...(Gavel) okay.

CLERK:271, 132, 466 all placed on Select File, (signed)
Senator Kilgarin, Chair.

Mr. President, LB 174, 351, 446, 125 and LR 50 are ready
for your signature.

SPEAKER MARVEL: While the Legislature is in session and
capable of transaction business, I am about to sign and
do sign LB 174, 351, 446, 125, and LR 50.

CLERK: Mr. President, I have two communications from the
Governor. (See page 1290-91 of the Legislative Journal).

Mr. President, Senator Newell moves to return LB 167 to
Select File for a specific amendment. That will be printed
in the Journal.

Your Enrolling Clerk respectfully reports that she has on
this day presented to the Governor for his approval the
following bill.

Mr. President, I have a report from the Department of
Administrative Services from the State Building Division.

April 6, 1981

LB 174, 351, 446, 125
384, 407, 427, 427A,
157, 157A, 200

Mr. President, your Enrolling Clerk has presented to the Governor LBs 174, 351, 446 and 125.

Mr. President, I have a report of certain Gubernatorial appointments from the Public Health and Welfare Committee that will require legislative approval.

Mr. President, finally Senator Beutler would like to print amendments to 384 in the Journal.

SPEAKER MARVEL: Senator Kilgarin, do you have a list of bills? The Clerk will announce to you and then we can go from there. 407 is the first one.

SENATOR KILGARIN: I move that LB 407 be advanced to E & R for Engrossment.

SPEAKER MARVEL: 407? All those in favor of advancing the bill say aye, opposed no. The motion is carried, the bill is advanced. Next, 427.

SENATOR KILGARIN: I move LB 427 be advanced to E & R for Engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. The motion is carried, bill is advanced. 427A.

SENATOR KILGARIN: I move LB 427A be advanced to E & R for Engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. Motion is carried, bill is advanced. 157.

SENATOR KILGARIN: I move LB 157 be advanced to E & R for Engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. Motion is carried, bill is advanced. LB 157A.

SENATOR KILGARIN: I move LB 157A be advanced to E & R for Engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. Motion is carried, bill is advanced. LB 200.

CLERK: Mr. President, I have a motion from Senator Carsten on LB 200.