

January 19, 1981

LB 357-388

Journal a motion he is submitting pursuant to Rule 6, Section 2, to rerefer LB 245.

Mr. President, new bills: (Read title to LB 357-388 as found on pages 261-268 of the Legislative Journal.)

SPEAKER MARVEL: Your agenda for tomorrow will show that we will adjourn until 9:30 a.m. There will be a chairmen's meeting at nine o'clock and Exec Board at eleven o'clock. Those two latter meetings will be in Room 1520. Senator Haberman, would you like to adjourn us until nine-thirty tomorrow.

SENATOR HABERMAN: Mr. President, I move that we adjourn sine die until nine-thirty tomorrow morning.

SPEAKER MARVEL: Leave out the sine die.

SENATOR HABERMAN: Move we adjourn until nine-thirty tomorrow morning.

SPEAKER MARVEL: All those in favor say aye, opposed no. We are adjourned until nine-thirty tomorrow morning.

Edited by:


Mary A. Turner

LB 19, 76, 102, 103, 107, 146,
147, 200, 284, 290, 305, 306,
316, 318, 326, 338, 371, 374,
389, 398, 441, 487

March 19, 1981

to LB 290. Have you all voted? One more time, have you all voted? Four. Have you all voted? Okay, record the vote.

CLERK: 16 ayes, 23 nays on the adoption of the DeCamp amendment.

SPEAKER MARVEL: The motion fails.

CLERK: Mr. President, a series of materials to read in: Senator Schmit would like to print amendments to LB 284. (Amendments printed separate and on file in the Clerk's office. Request No. 2118.)

I have an Attorney General's opinion addressed to Senator DeCamp regarding LB 76. (See pages 1026-1028 of the Journal.)

Senator Koch asks to be excused Monday and Tuesday of next week; Senator Fitzgerald excused next Monday.

Your committee on Public Works whose chairman is Senator Kremer reports LB 200 to General File; 326 to General File; 146 to General File with amendments; 147 as indefinitely postponed; 398 as indefinitely postponed, (Signed) Senator Kremer as Chair. (See pages 1028-1029 of the Journal.)

Your committee on Public Health reports LB 389 to General File with amendments and 107 as indefinitely postponed, (Signed) Senator Cullan. (See pages 1030-1032 of the Legislative Journal.)

Senator Chambers would like to print amendments to LB 76. (See pages 1032-1036 of the Legislative Journal.)

Senator Cullan reports LB 487 to General File with amendments, (Signed) Senator Cullan. (See pages 1036-1040.)

Education reports LB 305 to General File; 316 to General File with amendments; 318 to General File with amendments; 338 to General File with amendments; 371 to General File; 441 to General File with amendments, (Signed) Senator Koch. (See pages 1040-1042.)

Mr. President, your committee on Revenue reports LB 19, 102, 103, 306, 374 all indefinitely postponed, (Signed) Senator Carsten, Chair.

SPEAKER MARVEL: Is that it?

CLERK: Yes.

March 27, 1981

LB 200, 280, 371

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Record the vote.

CLERK: 29 ayes, 0 nays, Mr. President, on the motion to advance the bill.

SPEAKER MARVEL: The motion is carried. The bill is advanced. The next bill is LB 371. Mr. Clerk.

CLERK: Mr. President, LB 371 was introduced by Senator Goll. (Read.) The bill was first read on January 19, referred to the Education Committee and advanced to General File. I have no amendments on the bill, Mr. President.

SPEAKER MARVEL: Senator Goll.

SENATOR GOLL: Mr. Speaker, members of the Unicameral, I move advancement of LB 371. I would like to take about two minutes to explain it. It is a simple piece of legislation which actually cleans up some obsolete statutory language, wherein we refer to an area of vocational technical schools and junior colleges, both of now which no longer exist under these names and have been merged into a system of area technical community colleges. This bill would strike that language. LB 371 also does one other thing and the most important part of the bill probably in that it changes the lease purchase agreements by allowing public schools to enter into so-called arrangements for a total of seven years where-in now the language states five. This would enable school boards to keep some of their payment costs down when they enter into agreements for equipment. A seven year leasing period is more in keeping with standard industry practice. I would move passage of the bill, Mr. Speaker.

SPEAKER MARVEL: The motion is the advancement of the bill. All those in favor of that motion vote aye, opposed vote no. Have you all voted? We are voting on the advancement of the bill. Record.

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

SPEAKER MARVEL: The motion is carried and the bill is advanced. The next bill is LB 280.

CLERK: LB 280 was introduced by Senator Wesely. (Read.) The bill was first read on January 16, referred to Government, Veteran and Military Affairs. The bill was advanced to General File. I have no amendments on the bill, Mr. President.

March 31, 1981

LB 58, 87, 157, 157A, 158, 200,
280, 283, 329, 330, 333, 371,
407, 427, 427A, 437, 483, 491, 536

PRESIDENT LUEDTKE PRESIDING

FATHER HENRY BURTON: (Prayer offered).

PRESIDENT: Roll call. Roll call, please. Would all of you please register your presence if you are here? We are still waiting a quorum. Senator Warner, do you want to give us your presence here and we can get a quorum. Thank you. 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: I have no corrections, Mr. President.

PRESIDENT: The Journal will then stand as published. Are there any other messages, reports or announcements, Mr. Clerk.

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 329 and recommend that same be placed on Select File with amendments; 333 Select File with amendments; 483 Select File; 407 Select File; 427 Select File; 427A Select File; 157 Select File; 157A Select File; 200 Select File; 371 Select File; 280 Select File; 536 Select File; 158 Select File; 330 Select File; 58 Select File with amendments; 491 Select File; 283 Select File with amendments; 87 Select File; 437 Select File with amendments. All signed by Senator Kilgarrin as Chair. That is all I have, Mr. President.

PRESIDENT: Thank you, Mr. Clerk. Senator Haberman, did you wish...Senator Haberman. The Chair recognizes Senator Haberman for a point of personal privilege. Yes, and you should all pay attention to this because it is pretty personal.

SENATOR HABERMAN: Mr. President, members of the Unicameral, this is a very personal thing and I would like to have your attention, especially the attention of the press. In the Omaha World Herald and in the Star this morning, it says, "Senator Rex Haberman of Imperial who operates a liquor store". I do not operate a liquor store. I do not own a liquor store nor do I have any stock in any liquor stores. I do not know where this idea came from and I would like to inform this body and have it go on the record that I am in no way involved in any liquor stores, wholesale, retail, giveaway or anything else, and I thank you, Mr.

April 6, 1981

LB 200, 280, 371

SPEAKER MARVEL: Is Senator Carsten in the room? Maybe we should temporarily pass over that one and go to the next one. While we are waiting, awaiting that, in the north balcony from Senator Hoagland's district it is my pleasure to introduce 45 students from St. Cecelia's in Omaha, Paulette Schlueter, teacher. Would you hold up your hands so we can see where you are? Welcome to the Unicameral. Are we ready on which bill? LB 371.

SENATOR KILGARIN: I move LB 371 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 280. Senator Kilgarin.

SENATOR KILGARIN: I move LB 280 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. Senator Carsten, do you wish to take up LB 200?

CLERK: Mr. President, Senator Carsten moves to amend LB 200 to strike original section four of the bill.

SPEAKER MARVEL: Senator Carsten.

SENATOR CARSTEN: Mr. President and members of the Legislature, we took care of this section in another bill. It is absolutely unnecessary. I would move that we delete it from LB 200. Senator Hefner may want to speak to this also, I don't know.

SPEAKER MARVEL: Senator Hefner.

SENATOR HEFNER: Mr. President, members of the body, I concur with Senator Carsten. We had this in LB 200 before the other bill went across. Now, as the other bill is moving it is not necessary that we have this section in this bill. Therefore I would urge you to vote for the amendment.

SPEAKER MARVEL: Senator Carsten, do you wish to move your amendment?

SENATOR CARSTEN: I so move, Mr. President.

SPEAKER MARVEL: The motion is the adoption of the Carsten amendment for LB 200. All those in favor of that motion vote aye, opposed vote no. Record.

April 7, 1981

LB 477, 291, 311, 355, 56,
157, 157A, 158, 200, 243,
280, 371, 407, 427, 427A

SENATOR PIRSCH: Okay, ther are. . . .

SENATOR WESELY: Or based on what sort of effort did you. . . .

SENATOR PIRSCH: There are three states which presently have about the same thing, Wisconsin, California and I'll look up the other one, Connecticut.

SENATOR WESELY: Okay, thank you. I would just like to rise in support of the bill. I think that clearly this is an effort that needs to be undertaken by the State of Nebraska that for to long we have ignored the problems that have been experienced by our witnesses and victims of crime and certainly want to commend Senator Pirsch for her efforts in this area. It seems to me that the bill is a step in the right direction.

SPEAKER MARVEL: Senator Pirsch, do you wish to close?

SENATOR PIRSCH: Yes, thank you Mr. Speaker, I'll close just by saying that I am proud to have had Nebraska in the forefront in helping other victims and I think that this will be a continuation of our sincere desire to help those victims and witnesses in the criminal justice system. I urge your passage of 477.

SPEAKER MARVEL: The motion is to advance the bill, 477, all those in favor of advancing 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: Motion is carried, bill is advanced.

CLERK: Mr. President, you Enrollment Clerk respectfully reports that she has presented to the Governor LBs 291, 311, 355 and 56.

Committee on E & R respectfully reports that we have carefully examined and re-engrossed LB 290 and find the same correctly engrossed. 157, 157A, 158, 200, 371, 407, 280, 427 and 427A, all corrected engrossed. (signed) Senator Kilgarin, Chair.

Senator Schmit would like to print amendments to LB 243 in the Journal, Mr. President.

April 13, 1981

LB 283, 330, 371, 407

vote aye, opposed nay. Record the vote.

CLERK: 34 ayes, 0 nays on the motion to adopt the amendment, Mr. President.

PRESIDENT: Motion carries. The Vickers amendment is adopted. Senator Vickers, do you wish to move to return to E & R?

SENATOR VICKERS: Yes, Mr. President, I would move to return LB 283 to E & R for engrossment.

PRESIDENT: Motion to return LB 283 to E & R for engrossment. Any further discussion? All those in favor signify by saying aye, opposed nay. LB 283 is returned to E & R for engrossment. The next bill on the agenda for Final Reading is Senator Clark's bill. There has been a request that it be laid over, that is LB 290, so we will not take that up this morning. The next bill is LB 330 on Final Reading, Mr. Clerk.

CLERK: (Read LB 330 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 330 pass? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Record vote read. See page 1431, Legislative Journal.) 44 ayes, 0 nays, 5 excused and not voting, Mr. President.

PRESIDENT: LB 330 passes. We will go on then, the next bill on Final Reading, Mr. Clerk, LB 371.

CLERK: (Read LB 371 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 371 pass? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Record vote read. See pages 1431 and 1432, Legislative Journal.) 43 ayes, 1 nay, 4 excused and not voting, 1 present and not voting, Mr. President.

PRESIDENT: LB 371 passes. The next bill on Final Reading, Mr. Clerk is LB 407.

CLERK: (Read LB 407 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure

April 14, 1981

LR 12, 52, 53, 54, 55
LB 134, 181, 200, 280, 330,
371, 407, 437.

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by the Reverend Carl Godwin, Pastor of the Bible Baptist Church here in Lincoln.

REVEREND CARL GODWIN: Prayer offered.

PRESIDENT: Roll call. Record the presence.

CLERK: Quorum present, Mr. President.

PRESIDENT: 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 134 and recommend that same be placed on Select File.

Mr. President, I have an Attorney General's Opinion addressed to Senator Vickers regarding LB 181. (See pages 1448 and 1449 of the Legislative Journal.) And Senator Sieck would like to print amendments to 298. (See page 1450 of the Legislative Journal.)

Mr. President, LRs 52, 53, 54, 55, and LB 200, 280, 330, 371, and 407 and 437 are ready for your signature.

PRESIDENT: While the Legislature is in session and capable of doing business, I propose to sign and I do sign LR 52, LR 53, LR 54, LR 55, LB 200, LB 280, LB 330, LB 371, LB 407, and LB 437. Ready then for agenda item #4, resolutions, commencing, Mr. Clerk, with LR 12.

CLERK: Mr. President, LR 12 was introduced by Senator Don Wesely. (Read LR 12). Mr. President, the resolution is found on page 388. It was considered by the membership on February 2 and on February 3 it was....I'm sorry, it was considered on February 3. It was referred to the Banking Committee for public hearing. The matter has been referred back to the Legislature for their consideration.

PRESIDENT: The Chair recognizes Senator Wesely.

SENATOR WESELY: Mr. President and members of the Legislature,

April 14, 1981

LB 3, 58, 160, 161, 163,
200, 283, 330, 346, 371,
407, 437, 491.

do you have budget bills?

CLERK: Yes, sir. Mr. President, if I may right before we go to that, your Committee on Appropriations whose Chairman is Senator Warner reports LB 160 to General File, 161 to General File with amendments, and 163 to General File with amendments. Those are signed by Senator Warner as Chairman. (See pages 1457 and 1458 of the Legislative Journal.)

Your Committee on Enrollment and Review respectfully reports they have carefully examined and reengrossed LB 58 and find the same correctly reengrossed, 283 engrossed, and 491 engrossed. Your Enrolling Clerk has presented to the Governor LB 200, 283, 330, 371, 407 and 437.

Senator Johnson would like to print amendments to LB 3, and Senator Johnson amendments to 346. (See page 1459 of the Legislative Journal.)

Mr. President, Senator Warner as Chairman of the Appropriations Committee moves for the introduction of Request #931.

SPEAKER MARVEL: The Chair recognizes Senator Warner.

SENATOR WARNER: Mr. President, I move the bill be introduced. This will be one of six bills that we will be requesting to have introduced. They will cover the general operations of state government, and if they are introduced, I then would ask to have them placed on General File as we normally do so they can be printed immediately. I also would point out that beginning tonight and tomorrow night and other times as requested we will be giving briefings for the members of the Legislature on the appropriations, and you will have a booklet in your offices sometime this afternoon which will summarize each of the agencies' requests and the Governor's, as well as the committee's recommendation for that request. So with that explanation, Mr. President, I move the bill be introduced.

SPEAKER MARVEL: The motion is the introduction of the bill as explained by Senator Warner. All in favor of that motion vote aye, opposed vote no. It takes 30 votes. Record.

CLERK: 33 ayes, 1 nays on the motion to introduce, Mr. President.

SPEAKER MARVEL: The motion is carried.

CLERK: Mr. President, Senator Warner moves to introduce

LB 40, 132, 200, 266, 280, 284,
329, 330, 333, 360, 366, 371,
379, 392, 395, 407, 437, 479, 318.

April 15, 1981

SENATOR BEUTLER: Mr. Speaker, I think I would like to have a roll call vote and a Call of the House.

SPEAKER MARVEL: All those in favor of placing the House under Call vote aye, opposed vote no. Record.

CLERK: 20 ayes, 0 nays to go under Call, Mr. President.

SPEAKER MARVEL: The House is under Call. All legislators please take your seats. Record your presence. Unauthorized personnel.....yes, go ahead.

CLERK: Mr. President, I have an Attorney General's Opinion addressed to Senator Carsten regarding LB 284. (See pages 1499 through 1501.) Senator Schmit would like to print amendments to 360, Senator Wesely to 266, Senator Newell to 395, Senator Wesely to 366, Senator Beutler to 132, Senator Vickers to 266. (See pages 1494 through 1498 of the Legislative Journal.)

Mr. President, a communication from the Governor addressed to the Clerk. (Read communication regarding LBs 40, 200, 280, 329, 330, 333, 371, 379, 392, 407, 437, and 479 as found on page 1502 of the Journal.)

SPEAKER MARVEL: Senator Wagner, Senator Schmit, Senator Haberman, Senator Chambers. Senator Haberman, Senator Higgins. Senator Koch.

SENATOR KOCH: Mr. Speaker, I move that we adjourn until tomorrow morning at nine o'clock.

SPEAKER MARVEL: We are in the middle of a vote, Senator Koch. Senator Beutler, everyone who is not excused.... everybody is here except Senator Chambers. Shall we proceed with the roll call? Okay, all legislators will please return to your seats so we can complete the roll call. The Chair is not authorized to proceed until you are in your seats. Okay, call the roll.

CLERK: (Read the roll call vote as found on pages 1493 and 1494 of the Legislative Journal.) 23 ayes, 19 nays, on the motion to indefinitely postpone the bill, Mr. President.

SPEAKER MARVEL: Motion prevails. What else do we have?

CLERK: Mr. President, Senator Vickers asks unanimous consent to add his name to LB 266 as co-introducer.

SPEAKER MARVEL: No objection, so ordered.