

January 20, 1981

LB 389-433

SPEAKER MARVEL: Senator Higgins.

SENATOR HIGGINS: Mr. Chairman and Senator Chambers, I merely want to state the fact that your very presence here and the fact that we are listening to you is a contradiction of your remarks that you do not have freedom. Thank you, Mr. President.

SPEAKER MARVEL: Senator Burrows.

SENATOR BURROWS: Mr. Speaker, members of the body, I would like to request permission we lay over the resolution until the hostages are in the air.

SPEAKER MARVEL: Any objection? If not, so ordered. We will go to item #6 now, introduction of bills.

CLERK: Mr. President, new bills. (Read by title LB 389-432. See pages 271-280 of the Legislative Journal.)

SENATOR CLARK PRESIDING

SENATOR CLARK: Could I have your attention just a moment, please? The AP has reported that the American hostages will fly out of Iran in the next thirty minutes. (applause).

CLERK: (Read by title LB 433. See pages 280-281.)

SENATOR CLARK: Senator Nichol, for what purpose do you arise?

SENATOR NICHOL: Mr. Chairman, members of the Legislature, I wanted to say something but I don't want to say it if we have urgent business to do. This will take about two or three minutes.

SENATOR CLARK: Continue, we don't have any business right now.

SENATOR NICHOL: Okay, Senator Marsh has a bill in having to do with mammals and I wanted to tell you the story of the three mammals if I may. May I do that, sir?

SENATOR CLARK: Go right ahead if it is funny.

SENATOR NICHOL: Well, I don't know about that but once upon a time there were three mammals who lived happily in Mammalary Land. There was a papa mammal that we called Pappy and mama mammal that we called Mama and baby mammal we called Babble and the reason we called baby mammal Babble was because he talked a lot and asked embarrassing questions.

April 28, 1981

LB 89, 339, 402,  
LB 522, 525, 532

SENATOR V. JOHNSON: Well I guess we are not under Call any longer. I think I would ask for a Call of the House and a roll call vote.

SPEAKER MARVEL: Shall the House go under Call? All those in favor vote aye, opposed no. Record.

CLERK: 7 ayes, 3 nays to go under Call, Mr. President.

SPEAKER MARVEL: The House is under Call. All legislators please take your seats, record your presence. Senator Burrows, Senator Wiitala, Senator Fowler, Senator Labedz, Senator Carsten, Chambers. Okay, Senator Johnson. Carsten, Chambers, Fowler, Labedz. Will all legislators please return to your seats so we can proceed? Senator Johnson, we have all but one, Senator Carsten. Senator Carsten and Senator Chambers.

SENATOR V. JOHNSON: Go ahead, Mr. Speaker.

SPEAKER MARVEL: Okay, call the roll. The motion....

CLERK: The motion is to advance the bill, Mr. President. (Read roll call vote as found on page 1612 of the Legislative Journal.) 22 ayes, 24 nays, Mr. President, on the motion to advance the bill.

SPEAKER MARVEL: The motion lost.

CLERK: Mr. President, your committee on Judiciary whose chairman is Senator Nichol to whom is referred LB 402 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendments; 525 General File with amendments; 189 indefinitely postponed; 339 indefinitely postponed; LB 532 indefinitely postponed, all (Signed) Senator Nichol. (See pages 1613-1614 of the Legislative Journal.) Senator Warner would like to print amendment to LB 404. (See pages 1614-1618 of the Journal.)

Mr. President, Business and Labor Committee will hold an executive session Thursday, April 30, underneath the North balcony on adjournment. That is signed by Senator Maresh.

January 15, 1982

LB 36, 547, 402

CLERK: 26 ayes, 10 nays, 9 nays on the motion to advance the bill, Mr. President.

SENATOR CLARK: The bill is advanced. The next bill is 547 by the Agriculture Committee.

CLERK: Mr. President, I think Senator Schmit would like to pass over 547.

SENATOR SCHMIT: (Mike not on)...is a bill which is presently in litigation and a piece of legislation we advanced last year and we would like to pass over that bill at this time to see if there might be a decision on the bill in several weeks time, and if not, we will come back and deal with it at that time. If the bill is resolved in the courts, then we won't need the bill. If it is not resolved, then we will need the bill. Thank you very much.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: You are asking unanimous consent to pass over 547. Okay. So ordered. What is the next one? LB 402.

CLERK: Mr. President, LB 402 offered by Senator Nichol. (Read title.) The bill was read on January 20, referred to the Judiciary Committee for public hearing. The bill was advanced to General File. Mr. President, there are Judiciary Committee amendments pending.

SPEAKER MARVEL: Senator Nichol.

SENATOR NICHOL: Mr. Chairman, members of the Legislature, the Judiciary Committee considered several amendments to LB 402. The amendments are essentially technical in nature in that they supply procedural standards for the bill. I would ask for the adoption of the committee amendments and I will discuss them in more detail within the context of the bill.

SPEAKER MARVEL: Your motion is the adoption of the committee amendments. Are there any other discussion? All those in favor vote aye, opposed vote no. Record the vote.

CLERK: 26 ayes, 0 nays, Mr. President, on the adoption of committee amendments.

SPEAKER MARVEL: Senator Nichol, do you wish to explain the bill?

SENATOR NICHOL: Yes. Mr. President, members of the Legislature, LB 402 was introduced at the request of the Attorney General, Paul Douglas. Under existing law the prosecution cannot appeal a criminal sentence on the ground that it is too lenient. In our State Supreme Court in a recent decision based on a federal statute determined that it is not constitutionally prohibitive to allow the state to appeal a criminal sentence. Bear in mind, we are not talking about appealing an acquittal. That would obviously be double jeopardy. What we are talking about is allowing the state to appeal a sentence given after a criminal conviction if the prosecutor with the concurrence of the Attorney General feels that the sentence given by the trial court was too lenient. The committee amendments provide standards for the Supreme Court to consider in determining whether the sentence imposed by the trial court is excessively lenient. The committee amendments also spell out the alternatives the Supreme Court can take upon making that determination. Once again I would mention that I introduced the bill at the request of the Attorney General, Paul Douglas. It is a policy issue as to whether we want the prosecutors in this state to have this authority. The Judiciary Committee brings it to the floor for your consideration. I move for the advancement of LB 402 as amended.

SPEAKER MARVEL: Senator Vard Johnson, your light is on.

SENATOR V. JOHNSON: Mr. Speaker, members of the body, I rise in opposition to this bill because I think this bill is a premature bill. I don't have any true misgiving about the county attorney having the ability to appeal a lenient sentence to the Nebraska Supreme Court for a review of the sentence to determine whether or not the sentence should be enlarged. After all, a defendant has the same opportunity of affecting an appeal to the Nebraska Supreme Court to determine whether or not the sentence was excessive. But the problem I have is that you and I have never really established in this Legislature true sentencing criteria. We don't really have any base lines to look at to determine whether a sentence is excessive or is lenient. Now this bill for the first time articulates a few standards that appear to deal with leniency of a sentence, that is the court is to look at the nature and circumstances of the offense. Now in relation to what? In relation to other offenses? It doesn't say. It says the court is to look at the history and characteristics of the defendant. Now that is done traditionally anyhow through presentence investigation. This court is to look at the need for the sentence imposed. Well, the sentence imposed is the one that supposedly was too lenient. The court is to look at

whether or not the sentence imposed will afford adequate deterrence to criminal conduct. Does that mean deter other criminals? Does that mean to deter this particular offender? Exactly what is meant by that. The court, you look at the next section, the court is to consider whether or not the sentence itself will protect the public from further crimes by this particular defendant. In other words, whether the sentence will lock up the individual for a long enough period of time. Now the State of Minnesota three years ago in its Legislature established for the first time, and it is a relatively unique provision, a sentencing commission, the purpose of which is to set very tight benchmarks for the imposition of sentences and that commission does not allow courts a lot of latitude in terms of setting sentences. If a court is to deviate from one of the benchmarks set by the Minnesota Sentencing Commission, that court has got to find very good reasons for deviating from the benchmark but the State of Nebraska has never done that. We still are saying to the courts, you may sentence a criminal offender from one to five years. You may sentence a criminal offender from five to ten years. You have got a lot of flexibility but we have not by statute really outlined clear criteria for how we want defendants sentenced. What we have here is an articulation of some criteria but I submit it is not a well-thought through articulation. It is not a well-conceived articulation and it is truly premature. I genuinely think that one of the things that you and I as a body and the Judiciary Committee in particular needs to do is to spend a considerable amount of time working on sentencing criteria so that we really can tell almost to a person whether a given sentence is excessive or too lenient. But to put this in the law allows further subjectivity, muddies up already muddy water, and frankly continues to take us further and further afield from really doing justice in our overall criminal system. I don't think this is the appropriate time for us to be dealing with this bill. I think that we need to wait a year. We need to spend some time going through sentencing criteria and we can come back with a solid piece of legislation that can take care of the particular problems which the county attorney has raised. It is for that reason I oppose the measure.

SPEAKER MARVEL: Senator Landis.

SENATOR LANDIS: Mr. Speaker, members of the Legislature, although I have not discussed the matter with either Senator Nichol or Senator Johnson I find myself having arrived at exactly the same conclusion as Senator Johnson by an independent route. I, too, am aware of the Minnesota Sentencing Commission. As a matter of fact, I have written

Minnesota and have a file in my office on exactly that topic, and when we were looking at the eight bill maximum, I decided that was the bill to jettison to meet the limit, and then I decided that I would not introduce the bill this year to create a sentencing commission to look at criteria for sentencing and establishing the bench marks that Senator Johnson was talking about. For one thing in the past in Minnesota the cost for that commission was roughly \$50,000 and I thought this is not the year to propose a project that would cost roughly \$50,000 to accomplish but let me tell you that that is the appropriate way to proceed. What was done there was to take time for judges to meet together with prosecutors and with citizens in publicly held hearings to establish what was the priority between crimes, which were the most heinous kinds of crimes and what were the appropriate punishments to attach to crimes. One of the essential principles of Anglo-Saxon law is that the punishment should fit the crime, and if we would look in our statutes now we would find statutes that read one to five years, one to ten years, one to fifty years in some cases, and there is no criteria as to how the judge should proceed. Secondly, and this is an important fact, in the recent study of sentencing in Nebraska the State Court Administration out of Williamsburg, Virginia, found evidence of a bias in Nebraska sentencing which indicated the probability of a black defendant being jailed for an offense was two or three times higher than for a white defendant charged with exactly the same offense and found guilty of the same offense. They were trying to understand why that was and the study at that point begins to peter out. The reasons for that discrepancy were never made clear in the study but there was clear evidence of that distinction occurring, all the more reason for sentencing standards which would eliminate such kinds of biases as to color, sex or age of a defendant. The point is sentencing should be made more clear. We should reduce that flexibility of five to ten years by aiming at a particular mark and that is what a sentencing commission does. It creates standards. Those standards come back to the Legislature. They are enacted into law, and then in the event a trial court does not follow them, the trial court has to create a written reason into the record as to why those standards were not being applied. I, too, would say that the kernel of LB 402 that we are talking about, the right to appeal a too lenient sentence, should exist in law but make it part of that package which would be more systematic and I hope the body will choose not to act on 402 and we will be committed to the idea of a sentencing commission which will create exact standards, weigh our various criminal laws and see which ones are more

serious than others and where the penalties should be so that when an individual is charged with a crime or when the public sees that a crime is charged they know that a rape conviction is seven years or eight years or four years, that a robbery conviction if a gun is used is six years or four years, and they understand the nature of the sentence that should be given, and then they will also know when a trial court is deviating from those standards. We need a systematic approach. That systematic approach is not in LB 402. Its time has not yet come. I would suggest that the bill be put aside, laid over, or at least (Machine malfunctioned) the body will choose to take the action of delaying implementation of 402.

SPEAKER MARVEL: The motion before the House is the adoption of or the advancement of LB 402. Sorry. Go ahead, I am sorry.

SENATOR NICHOL: Yes, Mr. Speaker, just to mention a few of the things that have been brought up. It is easy to sit back and wait for over a hundred years, then when something is brought up that ought to be done, say, well we should do this a different way. Where has the Bar Association or attorneys been for over a hundred years if this should have been done a long time ago? I suggest we put this into business, into the law now so that it will force us to bring about something of the nature that Senator Landis has brought to our attention. The defendant has always been able to appeal. This takes care of the black or the downtrodden or the poor or those who can't defend themselves so that it is brought to the attention of somebody higher if the sentence is too strong, too heavy-handed. Then what about the judge who goes the other way and dismisses or puts a very light sentence or punishment to those who should be punished more. You ask your constituents, I don't care where you live, if they think judges are too lenient or too heavy-handed. I will make you a bet that it is by far on the side of that they are too lenient. I say put this bill into effect so that our attorneys, our Judiciary Committee will get something that will tell the judges what to do. Now the reason I don't think you will ever get a bill like Senator Landis has suggested is that we hire judges to do this. We say to our judges we are giving you latitude and you work and operate within those parameters as to how you think the sentence or judgment should be handled but we don't spell it out as Senator Landis does. Frankly, I don't think it can be spelled out so that we will have it equitably across the state. We have the safeguard in this bill that if a

judgment is too lenient the prosecuting attorney can say, "Look, I think this is too lenient", but he can't do it on his own. There is a safeguard built in. He has to have the approval of the Attorney General to go with it before he can do it. These prosecuting attorneys will not be bringing every case in that is dismissed or handed down with a lenient sentence to the Attorney General because the Attorney General doesn't want all kinds of cases that are minor in nature that they shouldn't be bothered with. We don't have a sentencing commission in existence. Nobody to my knowledge has even brought one forward, has even thought of it. If they have thought of it, they surely haven't brought it forward or attempted even to do it. I think we should advance this bill and pass this bill now so that if something can be worked out, as Senator Landis, Senator Vard Johnson have suggested, then let's get with it and do it. I have no objection to attempting to work out such a situation, but until such time as our Judiciary Committee or our attorneys, our Bar Association, our Judges Association, our Supreme Court judges do something, attempt to work out, let's get something so that there can be an appeal when too lenient sentences are handed down.

SPEAKER MARVEL: The motion is the advancement of LB 402. All those in favor of the bill advancing vote aye, opposed vote no. Have you all voted? Record.

CLERK: 26 ayes, 4 nays on the motion to advance the bill, Mr. President.

SPEAKER MARVEL: Motion is carried. The bill is advanced. The next bill is LB 525.

CLERK: Mr. President, LB 525 offered by Senator Sieck. (Read title.) The bill was read on January 20 of last year, referred to Judiciary for public hearing. The bill was advanced to General File. There are committee amendments pending by the Judiciary Committee, Mr. President.

SPEAKER MARVEL: Senator Nichol. Senator Nichol, do you wish to take up the committee amendments to 525?

SENATOR NICHOL: Mr. Chairman, members of the Legislature, excuse me, I had a little after battle there. The committee adopted amendments to this bill which were brought to us by Senator Sieck. The effect of the amendment is in part clarifying in nature and also provides standards to be followed by prosecutors when requesting an order from a court to compel testimony from a witness. I move for the adoption of the committee amendment. Mr. Chairman, Mr. President, I move for the adoption of the committee amendment.



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LB 36, 208, 212, 263, 267, 335,  
353, 370, 402, 448, 449,  
450, 525

LB 448 and recommend that same be placed on Select File with amendments; LB 449 Select File with amendments; LB 450 Select File with amendments; LB 263 Select File with amendments; LB 212 Select File with amendments; LB 370 Select File with amendments; LB 335 Select File with amendments; LB 353 Select File; LB 208 Select File with amendments; LB 36 Select File; LB 402 Select File; LB 525 Select File with amendments, all signed by Senator Kilgarin. (See pages 388-391 of the Legislative Journal.)

SENATOR CLARK: We are now ready for item #5, LB 267.

CLERK: Mr. President, LB 267 introduced by Senator Richard Peterson. (Read title.) The bill was read on January 16 of last year, referred to the Public Health and Welfare Committee for public hearing. The bill was advanced to General File with committee amendments attached, Mr. President.

SENATOR CLARK: Senator Wesely, do you want the committee amendments?

SENATOR WESELY: Yes, Mr. President, members of the Legislature, this bill was referred to the Public Health Committee, was heard last year and there was a concern at that time about the fact that it applied only to Dental Review Committee and the feeling was that by just limiting it to the Dental Review Committee there might be some special legislation constitutionality problems and so we thought that the concept was worthy of application across the board to all peer review committees and so the committee amendment would strike the fact that this is specifically dealing with the Dental Review Committee and make it applicable to all Nebraska peer review committees and again the concept is this in LB 267 that proceedings before a peer review committee would still take place and function as they have before. The question comes when court action is taken and some action is taken before a dentist or anybody associated with a peer review committee. They cannot then go to the committee records and use the committee action against the person or for the person for that matter who is being brought to court and being contested in court. So that you could still use materials and all that that would be brought before this peer review committee but the actual work of the committee would be kept out of the court process and decided that would be separated from the court action. That is what we are trying to do and we thought if it was applicable to dentists it ought to be applicable to others. So that is what the committee amendment does, Mr. President.

days to come and I would make one other statement. And because I happen to be a perfectionist why I get in trouble periodically but we have attempted to handle a very difficult package of bills and I, for one, find it very reluctant to sit and settle on half of the bills or twenty-five percent of the bills but as far as...let me repeat what I said before. I appreciate your comments. When we come back next week we will try to at least get together with the chairmen and I consider the fact that what you had to say and what you had to suggest was done in all sincerity and, therefore, I appreciate it. Criticism doesn't bother me except for the first twenty-five minutes it happens. Mr. Clerk...The first order of business is LB 402. Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 402.

SPEAKER MARVEL: All those in favor of that motion say aye, opposed no. The motion is carried. LB 525, Senator Kilgarin.

SENATOR KILGARIN: I move the E & R amendment to LB 525.

SPEAKER MARVEL: The motion is the adoption of the amendments to LB 525. All those in favor...okay, we're on E & R amendments now, okay. The motion is the adoption of E & R amendments to LB 525. All those in favor of that motion say aye, opposed no. The motion is carried. The amendments are adopted. The motion now is to advance the bill.

SENATOR KILGARIN: I move we advance LB 525.

SPEAKER MARVEL: All those in favor say aye, opposed no. The motion is carried. LB 255, Senator Kilgarin.

SENATOR KILGARIN: I move the E & R amendments to LB 255.

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

SENATOR KILGARIN: I move we advance LB 255.

SPEAKER MARVEL: The motion is to advance 255. All those in favor of that motion say aye, opposed no. The motion is carried. Go ahead.

SENATOR KILGARIN: I move we advance LB 255A.

SPEAKER MARVEL: The motion is the advancement of the bill. All those in favor of the motion say aye, opposed no. The motion is carried. The bill is advanced. Okay, there is an additional item put on 435 so it will be crossed off and

February 9, 1982

LB 237, 255, 274, 402, 525,  
589, 598, 646, 649, 802,  
828, 832

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Prayer by the Reverend Donald Nunnally, Pastor of Calvary United Methodist Church of Lincoln.

REVEREND NUNNALLY: Prayer offered.

SENATOR CLARK PRESIDING

SENATOR CLARK: Have you all recorded your presence? Have you all recorded your presence? The Clerk will record.

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

SENATOR CLARK: Are there any messages, reports or announcements?

CLERK: Mr. President, I have an Attorney General's Opinion addressed to Senator DeCamp regarding a proposed rule and regulation by the Political Accountability and Disclosure Commission. That will be inserted in the Journal. (See pages 597-600 of the Journal).

Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 255 and find the same correctly engrossed; 274, 402, 525, 589, 598, 646 and 649 all correctly engrossed. That is signed by Senator Kilgarin as Chairman. (See pages 600 and 601 of the Journal).

Mr. President, I have a request from Senator Lamb to print resolutions from Chadron State College in the Legislative Journal for ultimate legislative approval. (See pages 601 and 602 of the Journal).

Mr. President, your committee on Public Health and Welfare whose Chairman is Senator Cullan instructs me to report LB 832 advanced to General File with committee amendments attached; 802 indefinitely postponed; and 828 advanced to General File. All signed by Senator Cullan as Chair. (See page 603 of the Legislative Journal).

SENATOR CLARK: We are ready for #4, motions, LB 237 by Senator Wesely to withdraw a bill. Senator Wesely.

SENATOR WESELY: Mr. President and members of the Legislature, the question before the House is the life and death of LB 237, a bill which has served the state well in its brief life. This bill attempts to deal with a very

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LB 274A, 287, 314, 402

CLERK: (Record vote read. See pages 763 and 764, Legislative Journal.) 40 ayes, 3 nays, 5 excused and not voting, 1 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is passed on Final Reading. Go to LB 287.

CLERK: (Read LB 287 on Final Reading.)

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. With the emergency clause attached. Have you all voted? Record the vote.

CLERK: (Record vote read. See pages 764 and 765, Legislative Journal.) 45 nays, 0 nays, 4 excused and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed with the emergency clause attached. Before we proceed with the next item, it is my pleasure to introduce Mr. Steve Biedeck from Ralston who is also a student at UNL. He is in Senator Koch's District. The Clerk will read on Final Reading LB 314.

CLERK: (Read LB 314 on Final Reading.)

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. LB 314. Have you all voted? Record the vote.

CLERK: (Record vote read. See page 765, Legislative Journal.) 45 ayes, 1 nay, 3 excused and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. Next bill, LB 402, on Final Reading.

CLERK: (Read LB 402 on Final Reading.)

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. Clerk, record the vote.

CLERK: (Read record vote. See page 766, Legislative Journal.) 42 ayes, 2 nays, 3 excused and not voting, 2 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading.

February 19, 1982

LB 131, 274, 274A, 287,  
314, 402, 440, 454,  
589, 646, 649, 904

SPEAKER MARVEL: While the Legislature is in session and capable of transacting business, I am about to sign and do sign LB 131, LB 274, LB 274A, LB 287, LB 314, LB 402, LB 440, LB 454, LB 589. The next order of business is Final Reading on LB 646.

CLERK: (Read LB 646 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, opposed vote no. LB 646. Have you all voted? This is voting on Final Reading, LB 646. Have you all voted? Record the vote.

CLERK: (Record vote read. See page 786, Legislative Journal.) 46 ayes, 1 nay, 1 present and not voting, 1 excused and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. Next bill, LB 649.

CLERK: (Read LB 649 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, opposed vote no. LB 649 on Final Reading. Record the vote.

CLERK: (Record vote read. See page 787, Legislative Journal.) 45 ayes, 1 nay, 2 present and not voting, 1 excused and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading.

CLERK: Mr. President, Senator Cullan would like to have an executive session of the Public Health and Welfare Committee Monday morning at nine o'clock in Room 1019. That is Public Health and Welfare Monday morning, nine o'clock in Room 1019.

Urban Affairs instructs me to report LB 904 indefinitely postponed. That is signed by Senator Landis as Chairman.

SENATOR CLARK PRESIDING

SENATOR CLARK: Senator Beyer, would you like to adjourn us until Monday morning at nine-thirty.

SENATOR BEYER: Mr. Speaker, I move that we be adjourned until Monday morning at nine-thirty.

LR 211, 224  
LB 131, 192, 198, 211, 224, 231,  
239, 263, 270, 274, 274A, 287,  
314, 402, 440, 448, 450, 454,  
465, 511, 547, 589, 592, 634,  
646, 649, 669A, 672, 827

February 22, 1982

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: The prayer will be delivered by the Reverend Palmer.

REVEREND PALMER: Prayer offered.

SPEAKER MARVEL: Record your presence, please. While we are waiting for a quorum, underneath the South balcony from Scottsbluff, Nebraska, Audrey Towater is the guest of Senator Nichol. She is the one that has that large object there she is working on. I suggest that at your convenience you take a look at it. It is very interesting. Record, Mr. Clerk.

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

SPEAKER MARVEL: The Clerk has got some items to read into the Journal.

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined and reviewed LB 634 and recommend that same be placed on Select File with amendments; 672 Select File with amendments and LB 827 Select File and 669A Select File, all signed by Senator Kilgarin. (See pages 790-791 of the Journal.)

Your Enrolling Clerk respectfully reports that she has presented to the Governor on February 19 at two-fifty, bills passed on Final Reading that day. (Re: LB 131, 274, 274A, 287, 314, 402, 440, 454 and 589.)

Mr. President, I have communications from the Governor. The first is addressed to the Clerk. (Read communication re: LB 239 as found on page 791 of the Legislative Journal.) The second communication is addressed to the Clerk. (Read re: LB 192, 198, 231, 263, 270, 448, 450, 465, 511, 592, 131, 274, 274A, 287, 314, 402, 454 and 589.)

Mr. President, your committee on Urban Affairs whose chairman is Senator Landis reports LB 904 as indefinitely postponed. That is signed by Senator Landis as Chair.

Senator Schmit would like to print amendments to LB 547 in the Legislative Journal. (See page 792 of the Journal.)

Mr. President, LR 211, 224 and LB 646 and 649 are ready for your signatures.

SPEAKER MARVEL: While the Legislature is in session and capable of transacting business I am about to sign and do sign LR 211, LR 224, engrossed LB 646, LB 649. (See page