

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.

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LB 74, 56, 269, 407,
489, 500

permit fee money that we collect from others but they do have the opportunity to go to these parks without any charge. They can go to their city parks. Of course, I know there is a swimming fee if there is a swimming pool but, anyway, the City of Lincoln and the City of Omaha obtain their funds from the general fund. There is no possible way that we can get \$4 million from our general fund to pay for our park system. So for the present time and until we do find the money, as Senator DeCamp says, to give the people of the State of Nebraska the opportunity to come and go as they please and yet find the clean and all the equipment in the state parks that we have today, then we are just going to have to charge a fee and hopefully someday we can do what Senator DeCamp and Senator Chambers mentioned, get the money from other sources to keep up the park system and I urge the members of this Legislature to advance LB 74 from General File. Thank you.

PRESIDENT: The question before the House is the advance of LB 74 to E & R Initial. All those in favor vote aye, opposed nay. Record the vote.

CLERK: 28 ayes, 6 nays, Mr. President, on the motion to advance the bill.

PRESIDENT: Motion carries and LB 74 is advanced to E & R Initial.

CLERK: Mr. President, may I read a few things?

PRESIDENT: Yes, you may read some matters in.

CLERK: Mr. President, first of all, Senator Von Minden would like unanimous consent to add his name to LB 269 as co-introducer.

PRESIDENT: Any objection? If not, so ordered.

CLERK: Mr. President, Attorney General opinions addressed, one to Senator Lowell Johnson regarding LB 489; the second addressed to Senator Kahle regarding LB 407.

Mr. President, your committee on Public Works whose Chairman is Senator Kremer reports LB 56 to General File with committee amendments attached.

PRESIDENT: Ready then for the second bill on General File, LB 500. Mr. Clerk, you may read.

March 9, 1981

LB 55, 114, 128, 190, 198, 217, 246,
271, 279, 297, 327, 388, 434, 462,
407, 258

fellows walk around lobbying for this bill. They say, we hear you are against our bill, Rex, we are going to...we have some lobbyists working against you. They are sure are. They have been working their heads off this morning. I don't mind standing up here all alone, I have done it before, but I would like to have you fellows stop and think, we are only raising it from 6 to 8. They had a profit, a net profit of forty million in 1979. Thirty percent crosses the state. So I will ask for you to think down the road, raise it the two percent and then we will go from there. Thank you.

SPEAKER MARVEL: Motion is the Haberman amendment to legislative bill 190. All those in favor vote Aye, opposed vote No. Have you all voted? O.K. Record the vote.

CLERK: Eight Ayes. Fifteen Nays, Mr. President.

SPEAKER MARVEL: O.K. The motion lost. Now do you have some items to read in?

CLERK: Yes, sir.

SPEAKER MARVEL: While you are bringing them up, the Chairmen of the various committees have received a note this morning that we will meet tomorrow at 8:30a.m. in Room 2102. We need to start talking about priorities. If you will look at the sheet, you will find that this is the 39th day. Okay.

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 55 and find the same correctly engrossed; 114, 128, 217, 246, 279, 388, 434, 462, all correctly engrossed.

Mr. President, your Committee on Government reports LB 407 to General File. (Signed) Senator Kahle). LB 297 indefinitely postponed. Your Banking Committee whose Chairman is Senator DeCamp reports LB 271 to General File with amendments. (Signed) Senator DeCamp. (See page 809 of the Legislative Journal.) Miscellaneous Subjects Committee whose Chairman is Senator Hefner reports LB 258 to General File with amendments. (See pages 809 and 810 of the Legislative Journal.) (Signed) Senator Hefner. Your Banking Committee reports 327 to General File with amendments. (See page 810 of the Legislative Journal.)

Finally, Mr. President, Senator Warner would like to print amendments to LB 198 in the Legislative Journal. (See pages 810 through 815 of the Legislative Journal.)

SPEAKER MARVEL: Senator Peterson, will you adjourn us until 9:00 o'clock tomorrow morning. Howard Peterson.

March 27, 1981

LB 349, 407

SENATOR GOODRICH: Mr. President, are there any other amendments on the bill at all? Since we spent that much time on it why can't we just vote and be done with it?

PRESIDENT: Well the time is up. The Speaker has ruled that it was way up a long time ago. We just decided to go ahead with the...get the amendment out of the way but the time was up about fifteen minutes ago. We about doubled the time. It is not fair to the others, the Speaker said, so we will go on then with the next bill on consent calendar which is LB 407.

CLERK: Mr. President, LB 407 introduced by the Government, Military and Veterans' Affairs Committee and signed by its members. (Read.) The bill was first read on January 20, referred to the Government Committee. The bill was advanced to General File. I have no amendments on the bill, Mr. President.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: The Chair recognizes Senator Kahle.

SENATOR KAHLE: Mr. President and members, this bill LB 407 was brought to us by the Historical Society. The federal government changed the laws that deal with the historical societies over the country last year and all this bill does is to put the right numbers in the statutes so that we can receive the funding from the federal that we have in the past for preservation of historical buildings. That is all it does. It is necessary for them to receive this funding that they have in the past. I will be glad to answer questions but I think it is just about the simplest bill you will ever find. Thank you. Advance.

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

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

SPEAKER MARVEL: The motion is carried. The bill is advanced. The next item is 349.

CLERK: Mr. President, LB 349 offered by Senator Haberman. (Read.) The bill was originally read on January 19, referred to the Banking, Commerce and Insurance Committee. It was advanced to General File. I have no amendments on the bill, Mr. President.

SPEAKER MARVEL: Senator Haberman.

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 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.

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 Ne-
braska 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

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LB 407, 437, 491

having been complied with, the question is, shall LB 407 pass? All those in favor bote aye, opposed nay. Record the vote.

CLERK: (Record vote read. See pages 1432 and 1433, Legislative Journal.) 44 ayes, 0 nays, 4 excused and not voting, 1 present and not voting, Mr. President.

PRESIDENT: LB 407 passes. The next bill on Final Reading, Mr. Clerk, is LB 437.

CLERK: (Read LB 437 on Final Reading.)

PRESIDENT: All provisions relative to procedure having been complied with, the question is, shall LB 437 pass? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Record vote read. See page 1433, Legislative Journal.) 44 ayes, 0 nays, 4 excused and not voting, 1 present and not voting, Mr. President.

PRESIDENT: LB 437 passes. The last bill on Final Reading this morning, Mr. Clerk, is LB 491.

CLERK: Mr. President, I have a motion on the desk. Senator Beutler moves to return LB 491 to Select File for specific amendment. (Read Beutler amendment found on page 1434, Legislative Journal.)

PRESIDENT: The Chair recognizes Senator Beutler.

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, this amendment is also being put on with the approval of the introducer and it addresses itself to the possibility that a loophole may have been created in the law and it is to be sure that a loophole is not created. The bill itself has to do with the deposit of funds by a political subdivision in a bank, and when a political subdivision does that, one of the provisions of the law is that they can deposit up to ninety percent of the par value of the securities furnished by the bank in cases where the bank deposits security is approved by the State Treasurer. The new language is "approved by the State Treasurer". It removes the word "approved" in another section of the law and my question had to do with why that was removed and what I am doing is putting into the statute a reference to 16-715 of the statutes so that we retain the former law, the law that we have always had, that the types of securities that can be put up as collateral have to be those types set forth in 16-715. In the past they have always

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.