

March 23, 1981

LB 40, 157A, 253, 317,
427A, 472A, 478, 543

SPEAKER MARVEL: The first motion is, shall the House go under Call? All those in favor vote aye, opposed vote no. Record.

CLERK: 16 ayes, 5 nays to go under Call, Mr. President.

SPEAKER MARVEL: The House is under Call. All legislators return to your seats, record your presence, unauthorized personnel please leave the floor, and as soon as everybody is in their seats, we will proceed with the roll call vote.

CLERK: Mr. President, while we are having members check in, Senator Lamb would like to print amendments to 317; Senator Hoagland to 253.

I have a corrected committee statement for LB 543 from the Banking Committee.

An announcement from the Administrative Rules and Regulations committee.

Appropriations Committee gives notice of executive meetings Monday, March 23 at adjournment and for March 24, 25 and 26.

New A bills, LB 157 A, (title read); LB 472A, (title read); and LB 427A, (title read).

Senator Hoagland would also like to print amendments to LB 478, Mr. President.

SPEAKER MARVEL: Senator Burrows, do you want to record your presence? Senator Pirsch, do you want to record your presence? All legislators must be in their seats before we can start the roll call. Call the roll. The motion before the House is the advancement of the bill. Senator Barrett, for what purpose do you arise?

SENATOR BARRETT: Mr. Speaker, I respectfully request the roll call be reversed.

SPEAKER MARVEL: Okay, go ahead, Mr. Clerk.

CLERK: (Roll call taken in reverse commenced.)

SENATOR WIITALA: I would just like to say I have no objections.

SPEAKER MARVEL: Okay, a roll call vote has been requested. Go ahead. Proceed with the roll call.

CLERK: (Roll call taken in reverse. See vote on page 1075,

March 27, 1981

LB 427, 427A, 157

SENATOR WIITALA: That is right.

SENATOR NICHOL: Okay, thank you.

SENATOR CLARK: Senator Kahle.

SENATOR KAHLE: Call for the question.

SENATOR CLARK: The question has been called for. Do I see five hands? I do. The question before the House is to cease debate. All those in favor vote aye, opposed no. While we are waiting for the vote, we have 48 students from Beatrice, Nebraska, from Lincoln Elementary School. Mrs. Hopp, Mrs. Mulvaney are the teachers. They are in the North balcony. Will you raise your hands so we can recognize you. Welcome to the Legislature. Have you all voted on ceasing debate? Ceasing debate only, report the vote.

CLERK: 25 ayes, 0 nays to cease debate, Mr. President.

SENATOR CLARK: Debate has ceased. Senator Wiitala.

SENATOR WIITALA: I would just simply move the bill as amended.

SENATOR CLARK: Is there any discussion on advancing the bill? Senator Nichol, did you want to talk on advancing the bill? The motion is to advance the bill. All those in favor vote aye, opposed nay. Have you all voted on the advancement of the bill, 427? Record the vote.

CLERK: 25 ayes, 1 nay, Mr. President, to advance the bill.

SENATOR CLARK: The bill is advanced. 427A.

CLERK: Mr. President, LB 427A was offered by Senator Wiitala. (Read.)

SENATOR CLARK: Senator Wiitala.

SENATOR WIITALA: Mr. President, members of the Legislature, I would move the advancement of this bill.

SENATOR CLARK: Is there any discussion on the advancement of LB 427A? If not, all those in favor vote aye, opposed nay. Have you all voted? Record the vote.

CLERK: 25 ayes, 0 nays on the motion to advance the bill, Mr. President.

SENATOR CLARK: The motion passed. The bill is advanced. We will not take up LB 157.

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 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.

May 12, 1981

LB 427, 427A, 556, 548

SENATOR CLARK: The bill is declared passed with the emergency clause attached. The Clerk will now read LB 427.

CLERK: Mr. President, if I may right before that, I have explanation of votes from Senator Warner. (See pages 1948-49).

Mr. President, your committee on E & R respectfully reports they have carefully examined and reviewed LB 556 and recommend the same be placed on Select File, and LB 548 Select File. Both signed by Senator Kilgarin, Chair.

SENATOR CLARK: Clerk will read LB 427.

CLERK: Read LB 427 on Final Reading.

SENATOR CLARK: All provisions of law according to procedure having been complied with, the question is, shall the bill pass. All those in favor vote aye, opposed vote nay.

CLERK: Senator Clark voting yes.

SENATOR CLARK: Have you all voted? Record the vote.

CLERK: 46 ayes, 2 nays, 1 present and not voting. Vote appears on pages 1949-50 of the Legislative Journal.

SENATOR CLARK: The bill is declared passed. The Clerk will read 427A.

CLERK: Read LB 427A on Final Reading.

SENATOR CLARK: All provisions of law according to procedure having been complied with, the question is, shall the bill pass. All those in favor vote aye, all those opposed vote nay. It takes 30 votes.

CLERK: Senator Clark voting yes.

SENATOR CLARK: Have you all voted? Record the vote.

CLERK: 45 ayes, 2 nays, 2 excused and not voting. Vote appears on page 1950 of the Legislative Journal.

SENATOR CLARK: The bill is declared passed. LB 292, with the emergency clause.

May 12, 1981

LB 22, 22A, 157, 157A, 158, 158A,
168, 168A, 197, 197A, 245, 245A,
253, 253A, 292, 292A, 317, 317A,
427, 427A, 529

RECESS

SPEAKER MARVEL PRESIDING

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

SPEAKER MARVEL: The Clerk has some items on the desk that need to be read in for the record.

CLERK: Mr. President, I have for your signature LBs 197, 197A, 245 and 245A, LBs 168, 168A, LB 157 and 157A, LB 427 and 427A, LB 292, 292A, LB 317 and 317A, LB 22 and 22A, and LB 158, 158A, and 253 and 253A, Mr. President.

Mr. President, Senator Chronister would like to print amendments to LB 529 in the Journal. (See page 1963 of the Legislative Journal.)

SPEAKER MARVEL: While the Legislature is in session and capable of transacting business, I am about to sign and do sign engrossed LB 197, engrossed LB 197A, engrossed LB 245, engrossed LB 245A, engrossed LB 168, engrossed LB 168A, engrossed LB 157, engrossed LB 157A, engrossed LB 427, engrossed LB 427A, engrossed LB 292, engrossed LB 292A, engrossed LB 317, engrossed LB 317A, engrossed LB 22, engrossed LB 22A, engrossed LB 158, engrossed LB 158A, engrossed LB 253, engrossed LB 253A. Before we begin with some other bills, it is my privilege to introduce a number of visitors from Senator Cope and Kahle's Districts, ten students, 1st to 10th Grade, First Church of God Christian Academy, Kearney, Pastor Larry Lautaret, Jane Perry, teacher and Chester Trew, sponsor. In the north balcony. Will you hold up your hands so we can see where you are? Okay. From Senator Howard Peterson's District, eight students K through 12th Grade, Calvary Academy, Grand Island, Nebraska, Agnes Rich, Louise Bonne and Bonnie Skala, teachers. Where are you located? Okay. From Senator Chronister's District, eleven students from District 9, District 43, Wisner, Nebraska. Miss Koester and Miss Kansier, teachers. North balcony. Where are you located? Okay. From Senator Dworak's District five students, 3rd and 7th Grade from Christian Liberty Academy, Leigh, Nebraska, Susan Turvy, teacher, also Barbara Hall, in the south balcony. Are you in the south or north? From Senator Beutler's District sixteen 4th Graders, Hawthorne Elementary School, Lincoln, Nebraska, Mrs. Stephenson and Mrs. Anderson, teachers, in the north balcony. Where are you located? From Howard Peterson's District seven students K through 12th Grade, York Christian Academy, York, Nebraska, Edward Moray, Irene Moray, teachers. Where are you located? Okay. From

May 12, 1981

LB 22, 22A, 144, 144A, 157, 157A, 158,
158A, 168, 168A, 188, 188A, 197, 197A,
204, 204A, 207, 207A, 243, 245, 245A,
317, 317A, 253, 253A, 292, 292A, 427, 427A

Mr. President, your committee on Enrollment and Review respectfully reports....your Enrolling Clerk reports that she has presented to the Governor those bills that were read this morning on Final Reading. (See page 1977 regarding LBs 207, 207A, 188, 188A, 144, 144A, 204, 204A, 197, 197A, 245, 245A, 168, 168A, 157, 157A, 427, 427A, 292, 292A, 317, 317A, 22, 22A, 158, 158A, 253, 253A, in the Legislative Journal.)

SENATOR CLARK: I would like to announce the guests of Phyllis Todd from Senator Beutler's District, Mr. Kim, Mrs. Kim and Mrs. Bae-Pusan from Seoul, Korea. They are under the south balcony. Will you stand and be recognized, please? They are in the south balcony. Welcome to the Legislature. LB 243.

CLERK: Mr. President, LB 243 was a bill introduced by Senator Schmit. (Read title.) The bill was first read on January 16, referred to Ag and Environment. The bill was considered by the body on April 10, Mr. President. At that time the committee amendments were adopted. There was an amendment from Senator Schmit that was adopted. The bill failed to advance on that date, Mr. President. I have nothing further on the bill.

SENATOR CLARK: Senator Schmit.

SENATOR SCHMIT: Mr. President and members of the Legislature, I am going to ask you once again to consider LB 243. The bill was heard and discussed and debated at length. The previous time it was up it received 23 votes to advance on a Friday afternoon with about 27 or 8 people on the floor. I think that the fact that we have discussed the bill should perhaps wipe out any reason for a lot of lengthy debate. I know there are a lot of other bills that you want to get to today. I just want to say in reply to a piece of material that is lying on your desk, two and a half pages in length, which casts serious doubts about the problems that LB 243 can cause, I want to say this. You will recall that Senator Kremer and myself and along with several...at least 23 others in this body successfully added about \$2 million to the water development fund. There are rumors now that they may want to cut that back in the Executive Office to \$3 million from 4. That means that we will have about an additional \$800,000 in the water development fund, 50 cents per capita. Not exactly an overwhelming amount of public support I would guess for water development. My concern as I have indicated many times on this floor is this, if we are going to use funds that have been generated by a subdivision of government for

May 18, 1981

LB 3, 234, 248, 248A,
366, 427, 427A, 561

eight o'clock which means you can come in at eight o'clock and not make too much noise and there will be a general turn-over and it won't really affect anybody too much.

CLERK: Mr. President, a communication from the Governor addressed to the Clerk. (Read. Re: LBs 3, 248, 248A, 366, 427, and 427A. See page 2077, Legislative Journal.)

Mr. President, Senator DeCamp would like to print amendments to LB 234 in the Legislative Journal.

SENATOR CLARK PRESIDING

SENATOR CLARK: I would like to announce Senator Remmer's guests, Merle Prior from Falls City, Gladys Koeppel from Auburn and Muriel Scott of Auburn. They are under the South balcony. Would you stand and be recognized? Senator Dworak has 26 fourth grade students from Highland Park, Columbus with two adults. Mr. Dennis Smith and Dale Brinkman are the teachers. They are in the North balcony. Will you raise your hands and be recognized please? Also Al Boettcher from Fairbury and Stephen Songster from Exeter, Mr. and Mrs. Boettcher are from Senator Burrows' District. He was the Speaker of the Silver-haired Legislature. Stephen Songster is from Senator Maresh's Office and he was a member of the Silver-haired Legislature also. I don't know where they are but will you stand and be recognized please? Welcome to the Legislature, all of you. The first motion under #5.

CLERK: Mr. President, Senators Dworak, Fowler, Stoney, Lowell Johnson, Cope and Marsh, pursuant to Rule 6, Section 4 move to override the Governor's line-item veto of the Department of Public Institutions, Program No. 424 - State Aid - Community Mental Retardation, including the final budget for each mental retardation region shown in Section 11 on pages 10 and 11 of the bill. (LB 561.)

SENATOR CLARK: Senator Dworak.

SENATOR DWORAK: Mr. President, colleagues, I find myself in a role this afternoon I am not too often in and that is advocating a veto override. I might mention the reason I am speaking instead of Senator Warner is that the Appropriations Committee was split on action or on the Governor's vetoes and Senator Warner voted in the minority. I might also suggest that I think many of those minority votes were not necessarily on the specific issues but rather in just a general philosophical approach to sustaining the Governor all the way across the board. My personal opinion is this seven hundred and seventy some thousand dollars that five