

March 3, 1981

LB 21, 65, 67, 77, 80, 109,  
110, 159, 186, 214, 221,  
236, 260, 274A, 290, 459A

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by the Reverend William Pfeffer from the Panama Presbyterian, also at the Wesleyan University here in Lincoln.

REVEREND PFEFFER: Prayer offered.

PRESIDENT: Roll call.

CLERK: Mr. President, Senator Hoagland would like to be excused until he arrives.

PRESIDENT: Have you all registered your presence? Record the presence, Mr. Clerk.

CLERK: Quorum present, Mr. President.

PRESIDENT: Quorum being present, are there any corrections to the Journal, Mr. Clerk?

CLERK: I have no corrections, Mr. President.

PRESIDENT: All right, the Journal will stand correct as published. Are there any messages, reports or announcements?

CLERK: Mr. President, I have an Attorney General's opinion addressed to Senator Newell and one to Senator Schmit regarding the Nebraska Corn Resources Act. (See pages 718-721 of the Legislative Journal.)

Mr. President, your committee on Appropriations whose chairman is Senator Warner refers LB 159 as indefinitely postponed, (Signed) Senator Warner.

Mr. President, LB 290 which was referred to Public Works reports the same to General File with amendments, (Signed) Senator Kremer as Chair. (See pages 721-722 of the Journal.)

Mr. President, LB 274A offered by Senator DeCamp. (Title read.) New A bill, LB 459A by Senator Fowler. (Title read.) (See page 722 of the Journal.)

Mr. President, your committee on Public Health and Welfare gives notice of cancellation and resetting of public hearing.

Mr. President, I have legislative bills ready for your signature.

PRESIDENT: While the Legislature is in session and capable of doing business I propose to sign and I do sign LB 110, LB 214, LB 65, LB 21, LB 67, LB 77, LB 80, LB 109, LB 186, LB 221, LB 236 and LB 260. Anything further, Mr. Clerk?

March 5, 1981

LB 144A, 279, 459A

CLERK: I have nothing on the bill, Senator.

SPEAKER MARVEL: 279.

SENATOR KILGARIN: I move we advance LB 279 to E & R for engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. The motion carried. The bill advanced. LB 5. Unless there is objection we will pass over LB 5 because the introducer is not present. Any objection? If not, it will be passed over. Now, ready for General File, Mr. Clerk?

CLERK: Yes, sir.

SPEAKER MARVEL: Okay, LB 459A.

CLERK: Mr. President, LB 459A was introduced by Senator Fowler. (Read title.) The bill was referred directly to General File, Mr. President.

SPEAKER MARVEL: Senator Fowler.

SENATOR FOWLER: Mr. President, this is the A bill for the retirement bill. The amount that is in there is to fund the changes in the judges retirement. There will be... the fiscal staff is now doing a computer projection on the impact of the state employees' change by agency. We have to appropriate it back to each individual agency. So there will be an amendment on Select File that will put those costs at the dollar amounts known for the impact on state employees, but how that is distributed through the different agencies, we need to get a precise computer run and that information should be available by Select File. I would move it be advanced.

SPEAKER MARVEL: The motion is the advancement of 459A to E & R for initial. Senator Dworak. All those in favor of advancing the bill to E & R initial vote aye, opposed vote no. Have you all voted? Record.

CLERK: 27 ayes, 0 nays, Mr. President, on the motion to advance the bill.

SPEAKER MARVEL: The bill is advanced. The next bill is 144A.

CLERK: Mr. President, LB 144A offered by Senator Richard Maresh. (Read LB 144A.)

March 9, 1981

LB 67, 72, 73, 77, 113,  
144A, 186, 214, 221, 459A.

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by Chaplain Coordinator Palmer.

DR. ROBERT PALMER: Prayer offered.

PRESIDENT: Roll call.

CLERK: Mr. President, Senators Burrows, Cullan, Hoagland and Beutler would like to be excused until they arrive, and Senators Higgins, Koch, Maresh and Stoney all day.

PRESIDENT: Have you all recorded your presence?  
Record the presence, Mr. Clerk.

CLERK: Quorum present, Mr. President.

PRESIDENT: Quorum being present, are there any corrections to the Journal, Mr. Clerk?

CLERK: I have no corrections, Mr. President.

PRESIDENT: Any messages, reports or announcements?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports that we have carefully examined and reviewed LB 459A and recommend that same be placed on Select File; 144A Select File; 72 Select File with amendments, and 73 Select File with amendments. (Signed) Senator Kilgarin. (See pages 789 and 790 of the Legislative Journal.)

Mr. President, your Committee on Banking, Commerce and Insurance whose Chairman is Senator DeCamp reports LB 113 to General File with amendments. (See page 790 of the Legislative Journal.)

Mr. President, I have a report from the Public Works Committee regarding the appointments of....certain gubernatorial appointments and confirmation thereof. (See page 791 of the Legislative Journal.)

Mr. President, communications from the Governor addressed to the Clerk. (Read communications regarding LB 77, 67, 186, 214 and 221 as found on pages 791 and 792 of the Legislative Journal.)

Mr. President, I have letters making appointments to the Crime Victims Reparations Board, to the Rural Health Manpower Commission and to the Investment Council. (See pages 792 and 793 of the Legislative Journal.)

March 10, 1981

LB 5, 72, 144A, 459A

SENATOR CHAMBERS: Then, Mr. Chairman, I move that LB 5 be advanced to E & R for engrossment.

PRESIDENT: All right, any discussion? Now there has been a request for a machine vote on this so we will go to the board for the advance of LB 5. All those in favor of advancing LB 5 to E & R for engrossment vote aye, opposed nay. Have you all voted? Have you all voted? Record the vote.

CLERK: 25 ayes, 11 nays on the motion to advance the bill, Mr. President.

PRESIDENT: The motion carries. LB 5 is advanced to E & R for engrossment. The next bill on Select File is LB 459A.

CLERK: Nothing on it, Senator.

SENATOR CHAMBERS: Mr. Chairman, I move that LB 459A be advanced to E & R for engrossing.

PRESIDENT: Motion to advance LB 459A to E & R for engrossment. Any discussion? All those in favor signify by saying, opposed nay. LB 459A is advanced to E & R for engrossment. The next bill is LB 144A, Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman, I move that LB 144A be advanced to E & R for engrossment.

PRESIDENT: Motion to advance LB 144A to E & R for engrossment. Any discussion? If not, all those in favor signify by saying aye, opposed nay. LB 144A is advanced to E & R for engrossment. The next bill, Senator Chambers is LB 72.

CLERK: There are E & R, Senator.

PRESIDENT: E & R amendments.

SENATOR CHAMBERS: Mr. Chairman, I move that the E & R amendments to LB 72 be adopted.

PRESIDENT: Motion to adopt the E & R amendments on LB 72. Any discussion? All those in favor of adopting the E & R amendments to LB 72 signify by saying aye, opposed nay. The E & R amendments on LB 72 are adopted. Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman, there has been a request for a machine vote but reluctantly I move that LB 72 be advanced to E & R for engrossment.

PRESIDENT: All right, motion to advance LB 72 to E & R for engrossment. A machine vote has been requested. All those

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LB 5, 24, 38, 54, 72, 73,  
LB 154, 144A, 198, 245A,  
LB 273, 275, 288, 417, 459A

SENATOR CLARK: All provisions of law having been complied with, the question is, shall the bill pass? All those in favor vote aye, opposed no. Have you all voted? Record the vote.

CLERK: (Record vote read. See page 856, Legislative Journal.) 47 ayes, 0 nays, 2 excused and not voting, Mr. President.

SENATOR CLARK: The bill is declared passed. We will now go to #5, General File, priority bill, Senator Cullan's LB 56.

CLERK: Mr. President, may I read some things in.

SENATOR CLARK: Read some things in if you have to.

CLERK: Mr. President, first of all, your Enrolling Clerk respectfully reports that she has on this day at 10:40 a.m. presented to the Governor for his approval LBs 24, 38, 54, 275, and 288.

Your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 5 and find the same correctly engrossed; LB 459A correctly engrossed; LB 144A correctly engrossed; LB 72 correctly engrossed. (Signed) Senator Kilgarin, Chair. LB 73 correctly engrossed.

Mr. President, Senator DeCamp would like to print amendments to LB 273 in the Legislative Journal.

Senator Koch offers explanation of vote.

Mr. President, your committee on Public Works whose Chairman is Senator Kremer reports LB 417 to General File with amendments.

I have an announcement of priority bills designation by the Government Committee.

Senator Warner would like to print amendments to LB 198.

Senator Carsten would like to be excused Thursday, March 12 all day.

A new A bill, LB 245A by Senator Schmit. (Title read.)

Your committee on Banking, Commerce and Insurance reports on certain gubernatorial appointments.

March 24, 1981

LB 204, 204A, 459A

CLERK: Senator Fowler to LB 459A. Your Committee on Enrollment and Review respectfully reports LB 204 correctly engrossed and 204A correctly engrossed. (Signed) Senator Kilgarin, Chair.

SPEAKER MARVEL: Do you want to adjourn us until tomorrow?

SENATOR MARSH: Yes, I do, thank you. Mr. Speaker, I move that we adjourn until nine o'clock tomorrow morning. And as I make the motion I would remind the Chairpersons that there is an 8:15 meeting in Room....

SPEAKER MARVEL: 2102.

SENATOR MARSH: 2102.

SPEAKER MARVEL: You said nine o'clock. Okay. All those in favor of the motion to adjourn say aye. Opposed no. The motion is carried. We are adjourned.

Edited by:

Marilyn Zank  
Marilyn Zank

May 11, 1981

LB 165, 273, 273A, 336, 459A

SPEAKER MARVEL: I am referring to item #5 on your agenda. In setting up item #5 we have run into some conflicts and the conflicts basically, and Senator Warner has this motion, but the motion indicates that bills with General File implication or containing General File characteristics should not be considered until the main line appropriation bills have been acted upon by the Governor and the Legislature has had a chance to react to the Governor's action. Therefore, and if you have any questions I wish you would refer them either to the Chair or to the Chairman of the Appropriations Committee, we would change the agenda so that we would take up those bills starting on item #5, those bills, we would take up those bills which have motions to return and those bills, if you are interested I will give them to you. 165, 336, 273, 273A and 459A. So the agenda would be changed in that particular category. Do you want them again? Okay, once more, 165, 336, 273, 273A and 459A.

PRESIDENT: Is that 459A, Mr. Speaker, or 459?

SPEAKER MARVEL: It is on the sheet that Pat gave me. It is 459A.

PRESIDENT: 459A, that is what I thought. I didn't hear you say the A. 459A, okay. So those would be the only five bills taken up then under agenda item #5. Is that correct?

SPEAKER MARVEL: Yes, I think the thing that screws this deal up is the fact that we had it set up to read 204 and 204A because of the length of the bill and we were going to do this over the noon hour. I understand the conflict. This is not possible so we will have to devise another time to take up that particular item. So we are not ignoring it, Senator Wagner. It simply will come up at a different time.

PRESIDENT: The Chair recognizes Senator Lamb.

SENATOR LAMB: Mr. President and members, I discussed this with Senator Warner a few days ago and he indicated to me that this has been done both ways, that under the identical amendment which or identical motion of Senator Warner's, we have other years had the A bills after they have been passed by this body but before the Governor has acted on them, even though the motion, I agree, states that should not be the case but we have in this body, gone ahead and done that and so I would just ask Senator Warner to comment on that fact.

PRESIDENT: Did you want Senator Warner to comment? Senator Warner.

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

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LB 144A, 459A

it takes 30 votes. All those in favor vote aye. All those opposed vote nay.

CLERK: Senator Clark voting yes.

SENATOR CLARK: Record the vote.

CLERK: (Read record vote as found on pages 1922-1923 of the Legislative Journal.) 39 ayes, 6 nays, 3 excused and not voting, 1 present and not voting, Mr. President.

SENATOR CLARK: The bill is declared passed. The Clerk will now read 459A.

CLERK: Mr. President, I have a motion on the desk.

SENATOR CLARK: Read the motion.

CLERK: Senator Fowler moves to return LB 459A to Select File for a specific amendment. The amendment is on page 1118 of the Journal.

SENATOR CLARK: Senator Fowler.

SENATOR FOWLER: Mr. President, this is a technical amendment to distribute the retirement fund, the additional contribution to the retirement fund among the appropriate state agencies. The way that the state employees match, the employer match for the state employees contribution for the retirement fund works is that each agency has it in its own budget and, therefore, we had to do a computer run on payroll to establish the dollar amount necessary to fund the sections within 459A and that is all this amendment does, is distribute that money among the appropriate agencies for their contribution. With that, I would move to return it to Select File.

SENATOR CLARK: The question is the return of 459A to Select File. All those in favor vote aye. All those opposed vote nay.

CLERK: Senator Clark voting yes.

SENATOR CLARK: Record the vote.

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

SENATOR CLARK: The bill is returned. Senator Fowler.

SENATOR FOWLER: I move the amendment be adopted.



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LB 459A, 234A

SENATOR CLARK: The question before the House is the adoption of the amendment. All those in favor vote aye. All those opposed nay. Record the vote.

CLERK: 26 ayes, 0 nays, Mr. President, on the motion to adopt the amendment.

SENATOR CLARK: The amendment is adopted. The question now is the return of the bill to E & R. All those in favor say aye, opposed. The bill is returned. We are going to return 234A with Senator Fowler.

CLERK: Mr. President, Senator Fowler moves to return 234A to Select File for a specific amendment.

SENATOR CLARK: Senator Fowler.

SENATOR FOWLER: Senator Warner pointed out to me, brought to my attention that the A bill for 234 needed an amendment as well and we have that developed since we returned 234 and adopted an amendment. This simply brings the A bill in conformity with that amendment. So I would move that motion.

SENATOR CLARK: The question is the return of the bill for a specific amendment. All those in favor vote aye. All those opposed vote nay.

CLERK: Senator Clark voting yes.

SENATOR CLARK: Record the vote.

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

SENATOR CLARK: The bill is returned. Senator Fowler, the amendment.

SENATOR FOWLER: I move that the amendment to the A bill be adopted.

SENATOR CLARK: The question is the adoption of the amendment. All those in favor vote aye. All those opposed vote nay. Have you all voted? Record the vote.

CLERK: 26 ayes, 2 nays, Mr. President, on adoption of the Fowler amendment.

SENATOR CLARK: The amendment is adopted. The question now is the return of 234A to E & R. All those in favor say aye,

LB 118, 129A, 165, 181, 224, 234, 234A,  
273, 273A, 303, 326, 336, 360, 394,  
396, 411, 459A, 485, 551 - 554

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favor vote aye. All those opposed vote nay.

CLERK: Senator Clark voting aye.

SENATOR CLARK: Have you all voted on the adoption of the committee amendments? Once more, have you all voted on the adoption of the committee amendments. Record the vote.

CLERK: 27 ayes, 4 nays, Mr. President, on adoption of the committee amendments.

SENATOR CLARK: The committee amendments are adopted. Now on the bill itself, Senator Maresh.

SENATOR MARESH: Mr. Chairman, I move that LB 118 be advanced to E & R Initial.

SENATOR CLARK: Is there any discussion on the advancement of the bill? If not, all those in favor vote aye. All those opposed vote nay.

CLERK: Senator Clark voting aye.

SENATOR CLARK: Record the vote.

CLERK: 25 ayes, 1 nay, Mr. President, on advancement of the bill.

SENATOR CLARK: The bill is advanced. The Clerk wants to read some things in.

CLERK: Mr. President, new A bill, 129A offered by Senator Nichol. (Read LB 129A for the first time.)

Mr. President, Miscellaneous Subjects gives notice of hearing for Tuesday, May 19 on LB 551, 552, 553 and 554. And that is signed by Senator Hefner as Chair.

Mr. President, I have a reference report from the Executive Board referring legislative resolutions for interim study. That will be referred to in the Journal. (See pages 1966 through 1973 of the Journal.)

Mr. President, your committee on Enrollment and Review respectfully reports that they have carefully examined and engrossed LB 165 and find the same correctly engrossed; 181, 224, 234, 234A, 273, 273A, 303, 326, 336, 360, 394, 396, 411, 459A, 485, all those reported correctly engrossed, Mr. President. (See pages 1974 through 1977 of the Legislative Journal.)

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LB 459A, 485, 134

SPEAKER MARVEL: The bill is declared passed on Final Reading. The Clerk will now read on Final Reading LB 459A.

ASSISTANT CLERK: Read LB 459A.

SENATOR CLARK PRESIDING

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 aye.

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

CLERK: 42 ayes, 0 nays, 5 present and not voting, 2 excused and not voting. Vote appears on page 2106 of the Legislative Journal.

SENATOR CLARK: The bill is declared passed. The Clerk will now read LB 485. One moment, Mr. Clerk, and I'll introduce these people. From Senator Koch's district we have 51 fifth grade students and 9 adults from Wildwood Elementary School, Ralston, Nebraska, school. They are in the north balcony. Will you stand and be recognized, wave your hand or something. Welcome to the Legislature. The Clerk will now read LB 485.

CLERK: Read LB 485.

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.

CLERK: Senator Clark voting yes.

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

CLERK: 46 ayes, 0 nays, 1 present and not voting, 2 excused and not voting. Vote appears on pages 2106-07 of the Legislative Journal.

SENATOR CLARK: The bill is declared passed. The Clerk will now read LB 134.

CLERK: Mr. President, I have a series of motions on LB 134.

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LB 243, 165A, 181, 316, 485  
322, 336, 336A, 352, 303  
412, 459, 459A, 523

they would prefer that it were more restrictive. All I am asking is that we give some kind of a guideline, some kind of direction and that we do it in a manner which is not going to be, I'm sure, restrictive to the operations of the Natural Resource Districts. I would hope that you would advance the bill. Mr. President, again I ask for a Call of the House and a roll call vote.

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

CLERK: 15 ayes, 0 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. Sergeant at Arms, we are looking for Senator Newell, Senator Lamb, Senator Haberman, Senator Marsh. We have one excused. Senator Newell and Senator Marsh. Senator Schmit, okay, call the roll.

CLERK: Roll call vote. 27 ayes, 13 nays, 6 present and not voting, 1 excused and not voting, 2 absent and not voting. Vote appears on page 2111 of the Legislative Journal.

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

CLERK: Mr. President, some items to read in. Senator Hefner wants a meeting of the Miscellaneous Subjects Committee in Room 2102 at noon.

Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 412 and recommend the same be placed on Select File, 352 Select File, 523 Select File with amendments all signed by Senator Kilgarin.

Your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed 316 and find the same correct engrossed and 322 correctly engrossed, (Signed) Senator Kilgarin.

Mr. President, the bills that were read on Final Reading this morning are ready for your signature.

SPEAKER MARVEL: While the Legislature is in session and capable of transacting business I am about to sign and do sign Engrossed LB 181, 165A, 303, re-engrossed LB 336, Engrossed 336A, 459, re-engrossed legislative bill 459A, Engrossed Legislative Bill 485.

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LB 134, 165, 165A, 181, 186,  
303, 336, 336A, 459, 459A,  
485, 488, 544

It is printed, I am sorry. Mr. President, Senator Vickers would like to print amendments to LB 186. (See page 2119 of the Legislative Journal.)

Mr. President, your Enrolling Clerk has presented to the Governor the bills that we read on Final Reading this morning. (Re: LB 181, 165, 165A, 303, 336, 336A, 459, 459A and 485.)

Mr. President, Education offers a hearing notice for confirmation hearings regarding certain gubernatorial appointments.

Mr. President, Senator Vickers would like to print amendments to LB 544. (See pages 2116-2118 of the Legislative Journal.)

And finally, Mr. President, one last thing, Mr. President, Senator DeCamp asks unanimous consent to add his name to LB 134 as cointroducer.

SENATOR CLARK: No objections, so ordered. I think they are trying to find our Sergeant at Arms out there. Walt (Robbie) Robinson is visiting the Legislature today, the former Sergeant at Arms. He is at the back of the Chamber. Welcome, Robbie. We will now take up LB 488.

CLERK: Mr. President, LB 488 was a bill introduced by Senator Goodrich. (Read.) The bill was first read on January 20. It was referred to the Government, Military and Government Affairs Committee. The bill was advanced to General File. There are committee amendments pending by the Government Committee, Mr. President.

SENATOR CLARK: Senator Kahle, the committee amendments.

SENATOR KAHLE: Mr. President and members, I move the committee amendments and the committee amendments do considerable with the bill. LB 488 increases the salaries for constitutional officers for the next...(interruption.)

SENATOR CLARK: (Gavel.) Could we have it a little quiet, please. It is awfully hard to hear up here.

SENATOR KAHLE: LB 488 increases the salaries for constitutional officers for the next four year term of office beginning in January of 1983. The offices are for the Governor, the Lieutenant Governor, Secretary of State, Attorney General, Auditor of Public Accounts and State Treasurer. The bill as introduced set a base salary for each officer plus Section 3