

RECESS

PRESIDENT: The Legislature will come to order and register your presence.

CLERK: Mr. President, Senator Higgins and Beutler would like to be excused this afternoon.

PRESIDENT: Record the presence, Mr. Clerk.

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

PRESIDENT: Quorum being present, do you have any messages on the desk, anything to read into the record?

CLERK: Yes, sir, I do. Senator Maresh would like to announce that Senator Fitzgerald has been elected as vice chairman of the Business and Labor Committee. Senator Marvel would like to announce a chairperson's caucus for Monday, January 12, 1981, at 9:00 a.m. in Room 1520. It is a chairperson's caucus at 9:00 a.m., Room 1520, Monday morning.

Mr. President, Senators VonMinden, Senator Hoagland would like to be excused all day tomorrow.

PRESIDENT: We are ready for the introduction of new bills, Mr. Clerk, proceed.

CLERK: Mr. President, new bills: Read LB 37-48 by title for the first time. (See pages 85-88 of the Legislative Journal.)

Mr. President, Senator Hefner would like to have the Miscellaneous Subjects Committee meet upon adjournment this afternoon underneath the South balcony. That is the Miscellaneous Subjects Committee upon adjournment underneath the South balcony.

Mr. President, I have the communication from the Secretary of State addressed to the Speaker and members of the Legislature regarding the bonds and oaths for the following elected officials: Public Service Commissioner, Eric Rasmussen; Jack Romans; Treasurer of Workmen's Compensation Court, James Monen; Regents: Robert Simmons and John Payne; State Board of Education, Frank Landis, James Monahan, Walter Thompson, Helen Greene; and for Judge of the Nebraska Supreme Court, Lawrence Clinton, Hale McCown and C. Thomas White. That will be inserted in the Legislative Journal. (See pages 88-90.)

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LB 47, 56, 268, 298, 519, 245

SENATOR CLARK: The bill is advanced. The Call is raised.

CLERK: Mr. President, while we are waiting, Senator Rumery would like to print amendments to LB 47. (See page 807 of the Legislative Journal.)

Mr. President, Senator Cullan designates LB 56 as his priority bill. The Ag and Environment Committee designates LB 245 as one of their priority bills.

Mr. President, Senator Landis would like to print amendments to LB 298. (See page 807 of the Legislative Journal.)

Mr. President, your Committee on Miscellaneous Subjects whose Chairman is Senator Hefner reports LB 519 indefinitely postponed, and your Public Health and Welfare Committee reports LB 268 as indefinitely postponed.

Mr. President, Senator Haberman...oh, I'm sorry. Mr. President, your Miscellaneous Subjects Committee would like to report the Reapportionment/Redistricting Guidelines in the Legislative Journal. (See pages 806 and 807 of the Journal.)

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LB 84, 47

more filings to recover on debt when we see the economy in the state that it is today. The filing of a transcript involves a similar procedure with the Clerk of the District Court as is required in the filing of a new case in their office. The only exception being is that there is less paperwork involved here than there would be in an original filing. The cost of an original filing is \$35 and the Clerks of the District Courts felt that the increase to \$25 would be sufficient to handle the cost of the increased volume of cases that they are seeing in these filings. So I would move that LB 84 be advanced from General File to E & R Initial.

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

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

SPEAKER MARVEL: The motion is carried. The bill is advanced. The reason that we pause for a minute is that we are trying to find some bills that members who are here now are ready to take up. Senator Rumery, are you ready to take up LB 47?

SENATOR RUMERY: Yes, Mr. President.

CLERK: Mr. President, LB 47 was a bill introduced by Senator Myron Rumery. (Read title.) The bill was read on January 8, referred to the Public Works Committee. The bill was advanced to General File. There are committee amendments pending by the Public Works Committee, Mr. President.

SPEAKER MARVEL: Senator Kremer. It is LB 47.

SENATOR KREMER: Mr. Chairman, it caught me kind of off guard but I think what we do here is we add the emergency clause and make a couple of technical changes. Inserts a new section, Section 5, and adds the emergency clause.

CLERK: No, sir.

SENATOR KREMER: Oh, 47?

CLERK: Yes, sir, 47. It should be in your bill book, Senator.

SENATOR KREMER: Oh, yes, thank you. I got a hold of the wrong bill. Okay, the committee amendments clarifies which tenants can give permission to park and can request that a vehicle...to give a law enforcement officer the discretionary

powers to remove the vehicle. We are talking about illegal parking in a designated parking lot, Senator Rumery, is that not right? We are talking about parking lots, private parking lots, and #2, I guess #2 gives certain authority to the enforcement officer. #3, it defines what we mean by law enforcement officer so as to allow the use of civilian parking enforcement personnel. They also can have the authority to remove this vehicle. Also to strike Section 2 of the bill which changes the sign requirements as to specify what kind of a sign has to be there with respect to who can park there and who cannot park. I move the adoption of the committee amendments.

SPEAKER MARVEL: The motion is the adoption of the committee.. ..okay, first we take up Senator Rumery's amendment to the committee amendments and then adopt the committee amendments.

CLERK: Mr. President, Senator Rumery moves to amend the committee amendments and his amendment is on page 807 of the Journal. (Read.) It is found on page 807 of the Journal. 807, Senator.

SENATOR RUMERY: Mr. President, members of the Legislature, the Clerk pointed out the amendment is on page 807 in the Journal and I move the amendment.

SPEAKER MARVEL: Senator Newell, do you want to speak to the Rumery amendment? Your light is on.

SENATOR NEWELL: Yes, I do, and I need to get to 807. Senator Rumery, maybe if I could ask, while I am looking at the amendment that you are offering, basically, to outline what the intent of the bill is. The reason I ask this is that this has been a ticklish issue especially in my area of the state for a long time and I offered legislation on this a few years back and I am curious how you are amending it and so forth. So if you could do that while I am looking at 807, I would appreciate it.

SENATOR RUMERY: This has been a problem in our area, also. People just blatantly have been moving in on private parking lots and parking vehicles there for sometimes hours at a time, absolutely paying no attention to the parking facilities and its use. So we would like to have this so that the owner of the parking lot can have some protection on it. You may say, well, we already have protection. They can tow the vehicles away and you and I know what has happened on some of those occasions when the towing vehicle has damaged a car or a pickup and it is a big hassle then. The main thing we would like to do here

now is to after the parking lot is clearly identified that the police would have the authority to come in and write a citation just like they would for overparking on the street or any other infraction that they might enter into and we would like to have it so the owner of the lot can simply call the police and say, "Well, I have a vehicle here who is overparked", and we would like to use this traffic violation largely in place of the towing although we are not completely eliminating the towing of the vehicle. But these parking lot owners really need some protection and I think you would agree to that.

SENATOR NEWELL: Senator Rumery, just for your information in regard to this, the police in the City of Omaha are not anxious to have this authority. In fact, two years ago they asked me to delete the responsibility for the police officer to make a decision as to whether an automobile ought to be towed or not and even in the ticket writing area, especially in the private lots, that their reasoning was simply this, that the question of authority is a difficult one to know who really can authorize, and the question of how well the lot is posted always gets to be a problem, and who can indicate whether, you know, in your amendment you are offering tenant and landlord can suggest that it is parked illegally. That has created numerous problems and a lot of difficulty in our area of the state and is something that they were not anxious to have that authority, and I am wondering if there might be some way we can work this out to where we....

SENATOR RUMERY: Well, we would be glad to listen, of course, to anything that might be reasonable on this procedure. But we think that this has some advantage over just towing them away and we mentioned awhile ago the hazards of pulling somebody else's car away and this sort of thing but the parking lot owners need protection and this is the best thing that we could come up with that we thought would help in that respect and I don't know, I can't imagine why they are opposed to it. Every private parking lot that has mentioned anything to me wants this kind of protection and....

SENATOR NEWELL: Well, the Omaha City Police have a problem with being the ones to enforce private parking lot situations. With the towing away which just is what is required now, there is not...it is more clearly the individual who owns the place charging the towing to be taking place and that alleviates the police from a whole lot of questions about who has the responsibility, the rights, et cetera, and there in lies the problem. Let me ask you another question related to that. In terms of your amendment, you are striking

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LB 47

#1 and #2 of the committee amendments. Now what does that do exactly? You are striking #2 and #3. It said, "Strike committee amendments #2 and #3. On page 3, line 4, after 'lot' insert 'state the hours of restricted parking and state who to contact for information regarding towed vehicle.'"

SENATOR RUMERY: We are simply trying to make it simple so that the owner can call the police. Now you mentioned the private parking lot. Do we not have the authority to call the police in case somebody is trespassing on our property? Our own property?

SENATOR NEWELL: Yes, but therein lies the complaint arrangement where you have to file a complaint and indicate, you know, and set charges. So that, in fact, is also a crime against property by a person as opposed to be a vehicle which is (interruption).

SENATOR RUMERY: But a person left the vehicle there and the vehicle isn't being fined, it is the person that we hope would be.

SENATOR NEWELL: Senator Rumery, let me just make a suggestion. I would not oppose the advancement, the adoption of your amendment and the advancement of the bill but I would, if it would be okay, like to sit down with you and discuss both your desire and get back to the City of Omaha Police Department and find out just exactly how they view this.

SENATOR RUMERY: We can look at it again on Select File.

SENATOR NEWELL: That is what I was suggesting.

SENATOR RUMERY: Thank you.

SPEAKER MARVEL: Okay, your motion now is the adoption...

SENATOR RUMERY: Of the amendment.

SPEAKER MARVEL: ...of your amendment of the committee amendments, is that it?

SENATOR RUMERY: Right. I so move.

SPEAKER MARVEL: All those in favor of that motion vote aye, opposed vote no. We are voting on the Rumery amendments to the committee amendments to LB 47. Have you all voted? Okay, record.

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LR 21
LB 47, 432, 129

CLERK: 19 ayes, 1 nay, Mr. President, on adoption of Senator Rumery's amendment.

SPEAKER MARVEL: So the amendment to the amendment is adopted. Now we vote on the committee amendments as amended.

SENATOR KREMER: Mr. Chairman, I move we adopt the committee amendments as amended by the Rumery amendment.

SPEAKER MARVEL: As explained by Senator Kremer. All those in favor of that motion vote aye, opposed vote no. Have you all voted? Have you all voted? This is the last bill of the morning. Record the vote.

CLERK: 25 ayes, 0 nays on the motion to adopt the committee amendments, Mr. President.

SPEAKER MARVEL: The committee amendments are adopted and now, Senator Rumery, do you want to advance the bill?

SENATOR RUMERY: Mr. President, I move that LB 47 be advanced.

SPEAKER MARVEL: All those in favor of that motion vote aye, opposed vote no. We are voting on the advancement of LB 47 to E & R for review. Have you all voted? Record the vote.

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

SPEAKER MARVEL: The motion is carried. The bill is advanced. Now do you have some items on the desk?

CLERK: Yes, sir, I do. Mr. President, first of all, I have a series of motions for unanimous consent. Senator DeCamp asks for unanimous consent to add his name to LR 21.

SPEAKER MARVEL: Hearing no objections, so ordered.

CLERK: Senator DeCamp asks unanimous consent to withdraw his name from LB 432.

SPEAKER MARVEL: Hearing no objection, so ordered.

CLERK: Senator Nichol asks unanimous consent to add his name to LB 129.

SPEAKER MARVEL: Any objection? So ordered.

March 13, 1981

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by Reverend Larry Spader, Central Alliance Church.

REVEREND SPADER: Prayer offered.

PRESIDENT: Roll call. While we are waiting to get everyone checked in this morning we will take this opportunity to introduce from Senator Wesely's district some 9 students from Riley Elementary School here in Lincoln, Mrs. Barth and Mrs. Frogge, teachers. They are up here in the North balcony. Would you welcome Riley Elementary School up here in the North balcony. Welcome to your Legislature. Record the presence.

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 stand correct as published. Any messages, reports or announcements?

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined LB 56 and recommend that same be placed on Select File with amendments; 313 Select File; 84 Select File; 47 Select File with amendments, (Signed) Senator Kilgarin, Chair.

Mr. President, engrossed LBs 55, 114, 128, 217, 246, 279, 388, 434, 462 and LR 33 and 34 are ready for your signatures.

PRESIDENT: While the Legislature is in session and capable of doing business I propose to sign and I do sign LB 55, LB 114, 128, 217, 279, 388, 434, 462, LR 33 and LR 34. We will proceed then with Final Reading. The Sergeant at Arms will secure the floor. All members of the Legislature will please return to your desks and as soon as everyone is at your place we will commence with Final Reading. All unauthorized personnel, non-legislative personnel will leave the floor of the Legislature. We are on Final Reading. We are awaiting Final Reading then. All legislators will be at their desks. We will commence with Final Reading.

CLERK: Mr. President, while we are waiting...

PRESIDENT: Go ahead, Mr. Clerk.

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SPEAKER MARVEL: No objection, so ordered.

CLERK: Mr. President, Senator Koch to print amendments to LB 311; Senator Wesely to LB 361; Senator Koch to LB 245; Senator Chambers to LB 273; Senator Newell to LB 47 and Senator Koch and Burrows to LB 190. (See pages 997-1002 of the Legislative Journal.)

Mr. President, Senator Kilgarin offers explanation of vote. Finally, Mr. President, two new resolutions, LR 43 by Senator Marvel as Speaker: (Read.) That will be laid over. LR 44 by Senator Koch: (Read. See pages 1002-1003.) That too will be laid over, Mr. President.

SPEAKER MARVEL: Now before we proceed to LR 26 which is on the agenda, today is the celebration of Agriculture Day. There will be a signing of a proclamation in the rotunda and the members of the Legislature are invited. The celebration begins around eleven-thirty and I assume those of you who want can check on the rotunda. Meanwhile we will continue with LR 26.

CLERK: Mr. President, LR 26 is found on page 673 of the Journal. It is offered by the Public Works Committee and signed by its members. (Read.)

SPEAKER MARVEL: Senator Kremer.

SENATOR KREMER: Mr. Chairman and members of the Legislature, LR 26 was brought to the Public Works Committee by some of the subdivisions of government in the southwestern part of the state, namely tri-county interests and some of the NRDS in that area of the state. The resolution was signed by a number of the members of the Public Works Committee and then was held up for several days in order to learn if we could, how this project would be of benefit to Nebraska and if there were any disadvantages, what they would be. You have heard the resolution read and I have had the Pages lay a map on your desk, on each one of your desks, to show you where this proposed project is as related to Nebraska. You will note on the map that the dam would be close to Ft. Morgan, Colorado, and it would provide irrigation waters on and along the South Platte River almost to or to the Nebraska state line. Now I am trying to explain to you what the advantage would be to the State of Nebraska. I would like to make five important points why I think Nebraska should support this resolution. Some ask the question, why should Nebraska get involved in a project that is not in the state itself and it is a good question and I will try to answer that as I make these several points. First of all, if Nebraska does take a positive action on the

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LB 313, 84, 47

CLERK: I have nothing on the bill, Mr. President.

PRESIDENT: The Chair recognizes Senator Kilgarin.

SENATOR KILGARIN: I move LB 313 be advanced to E & R for engrossment.

PRESIDENT: Motion to advance LB 313 to E & R for engrossment. Any discussion? All those in favor signify by saying aye, opposed nay. LB 313 is advanced to E & R for engrossment. The next bill is LB 84.

CLERK: I have nothing on the bill, Mr. President.

PRESIDENT: Senator Kilgarin.

SENATOR KILGARIN: I move LB 84 be advanced to E & R for engrossment.

PRESIDENT: Motion to advance LB 84 to E & R for engrossment. Any discussion? All those in favor signify by saying aye, opposed nay. LB 84 is advanced to E & R for engrossment. The next bill is LB 47, Mr. Clerk.

CLERK: There are E & R amendments, Mr. President.

PRESIDENT: The Chair recognizes Senator Kilgarin.

SENATOR KILGARIN: I move the E & R amendments to LB 47.

PRESIDENT: The motion is to adopt the E & R amendments on LB 47. Any discussion? All those in favor of adopting the E & R amendments on LB 47 signify by saying aye, opposed nay. The E & R amendments on LB 47 are adopted. Any further amendments?

CLERK: Yes, Mr. President. Senator Newell moves to amend the bill and the Newell amendments are found on page 999 of the Legislative Journal.

PRESIDENT: Page 999 of the Journal, amendment to LB 47 by Senator Newell. Is Senator Newell here? Does the Sergeant at Arms know where Senator Newell is? Oh, he is back there in the telephone booth. We will be at ease until Senator Newell gets done. The Chair recognizes Senator Newell on your amendment on LB 47, Senator.

SENATOR NEWELL: Mr. President, members of the body, the amendment that I offer is one that I have discussed with the introducer of the bill, Senator Rumery. It basically allows cities of the primary class which is Lincoln and cities of the metropolitan class which is Omaha to develop

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LB 47, 290

ordinances and deal with this whole question of towing in their own peculiar unique sort of way. Senator Rumery is in concurrence with this. I think it would be beneficial. What happens right now is that alternating years different communities bring in different bills trying to deal with the same problem in a different way and this allows for a little more flexibility in the state. With that, I urge the adoption of the amendment.

PRESIDENT: The Chair recognizes Senator Rumery.

SENATOR RUMERY: Mr. President, members of the Legislature, you will recall that Senator Newell and I had a little discussion on this bill a few days ago and we agreed that we would try to work out an amendment that would be favorable to Lincoln and Omaha and we have done that and I fully support the amendment.

PRESIDENT: Anything further? Any other discussion on the Newell amendment to LB 47? Senator Newell, do you have any closing? All right, the motion then is the adoption of the Newell amendment to LB 47. All those in favor vote aye, opposed nay. Have you all voted on the Newell amendment on LB 47? Record the vote.

CLERK: 25 ayes, 0 nays, Mr. President.

PRESIDENT: The motion carries. The amendment is adopted. Any further amendments?

CLERK: Nothing further on the bill, Mr. President.

PRESIDENT: Senator Kilgarin, ready to move forward.

SENATOR KILGARIN: I move LB 47 be advanced to E & R for engrossment.

PRESIDENT: Motion to advance LB 47 to E & R for engrossment. Any discussion? All those in favor of advancing LB 47 to E & R for engrossment signify by saying aye, opposed nay. LB 47 is advanced to E & R for engrossment. The next bill will be LB 290, Mr. Clerk.

March 23, 1981

LB 17, 47, 56, 79, 84, 151,
220, 224, 313, 446, 485, 544.

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by Chaplain Coordinator Palmer.

DR. ROBERT PALMER: Prayer offered.

PRESIDENT: Roll call. Has everyone registered your presence?

CLERK: Mr. President, Senators Fitzgerald, Koch, Howard Peterson, Wagner excused; Beutler, Cullan, Gc11, Hoagland and Vard Johnson until they arrive.

PRESIDENT: While we are waiting for those to register their presence, the Chair would like to recognize from Senator Sieck's District, seven students from Benedict High School, Bud Exstrom, their teacher. They are up here in the north balcony. Would you folks stand up and be recognized. Welcome to your Legislature. Record the presence, Mr. Clerk.

CLERK: Quorum present, Mr. President.

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

CLERK: No, sir, there are no....

PRESIDENT: The Journal then stands correct as published. Any messages, reports or announcements, Mr. Clerk?

CLERK: Mr. President, the committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 17 and recommend that LB 17 be placed on Select File, LB 446 Select File with amendments. (Signed) Senator Kilgarin. (See pages 1050 and 1051 of the Legislative Journal.)

Mr. President, your committee on Public Works whose Chairman is Senator Kremer, reports LB 224 to General File with amendments, 485 General File with amendments, 544 General File with amendments and LB 79 indefinitely postponed. (Signed) Senator Kremer as Chair. (See pages 1051 and 1052 of the Legislative Journal.)

Your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 47 and find the same correctly engrossed; 56, 84, 151, 220, 313, all correctly engrossed. (Signed) Senator Kilgarin.

I have a report from the Legislative Accountant regarding legislative employees. It will be inserted in the Journal. (Page 1052 of the Journal.)

March 31, 1981

LB 258, 47, 56

PRESIDENT. I appreciate you for giving me this privilege to clear the record. Thank you.

PRESIDENT: Thank you, Senator Haberman. Senator DeCamp, for what purpose do you arise?

SENATOR DeCAMP: Just to tell Senator Haberman that I have got a heck of a deal on one that if he wants it.

PRESIDENT: We won't have any advertising and solicitation for commissions here. I think it is time we get to agenda item #4 for Final Reading. So if the Sergeant at Arms will clear the aisles, get all the unauthorized personnel off the floor, all members return to your seats, to your desks, we will begin Final Reading as soon as possible.

CLERK: Mr. President, while we are waiting, I have a motion from Senators DeCamp and Pirsch to reconsider the body's action on indefinitely postponing LB 258 yesterday. That will be laid over.

PRESIDENT: As soon as everyone gets to your desk, we shall begin Final Reading. We are waiting the clearing of the aisles and to get everyone at their desks. I think we are about ready, Mr. Clerk. We are ready to commence Final Reading. We will begin, Mr. Clerk, then with LB 47 on Final Reading.

CLERK: (Read LB 47 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 47 pass? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Record vote read. See page 1204, Legislative Journal.) 45 ayes, 0 nays, 3 excused and not voting, 1 present and not voting, Mr. President.

PRESIDENT: LB 47 passes. The next bill on Final Reading, Mr. Clerk, is LB 56. Senator Cullan, for what purpose do you arise? The motion is on the desk, thank you. Read the motion.

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LB 44, 47, 56, 84, 113, 151,
173, 218, 220, 308, 313, 331,
370, 379, 392, 478.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: The Reverend Sidney D. Ellis of the Church of Christ, Lincoln, Nebraska.

REVEREND SIDNEY D. ELLIS: Prayer offered.

CLERK: Mr. President, Senators Beyer, Fowler and Vard Johnson would like to be excused for the day. Senators Hoagland, Cullan and Wiitala until they arrive.

SPEAKER MARVEL: Record the vote, Mr. Clerk.

CLERK: Quorum present, Mr. President.

SPEAKER MARVEL: Do you have anything for item #3?

CLERK: Yes, sir. Mr. President, first of all I have got a correction in the Journal found on page 1221. (See page 1230 of the Journal.)

Mr. President, your committee on Education whose Chairman is Senator Koch reports LB 218 to General File with amendments; 370, General File with amendments; and 308 indefinitely postponed. (Signed) Senator Koch. (See pages 1230 through 1235 of the Journal.)

Your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 56 and find the same correctly reengrossed.

Mr. President, LBs 47, 84, 151, 220 and 313 are ready for your signature.

Mr. President, I have a Reference Report from the Executive Board referring LB 556 to the Appropriations Committee and that is signed by Senator Lamb as Chairman of the Reference Committee.

SPEAKER MARVEL: While the Legislature is in session and capable of transacting business, I am about to sign and do sign LB 47, LB 84, LB 151, LB 220, LB 313.

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 379 and recommend that same be placed on Select File with amendments; 44, Select File with amendments; 173, Select File with amendments; 331, Select File with amendments; 392, Select File with amendments; 478, Select File with amendments; 113, Select File with

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LB 17, 40, 47, 84, 151, 220,
245, 245A, 313, 478

particular bill. I will get another shot on Select. But I hope you mark well what you are doing this morning, and I hope the impact of it will not be lost on you. So, Mr. Chairman, I am making that request 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. Okay, record.

CLERK: 17 ayes, 11 nays to go under Call, Mr. President.

SPEAKER MARVEL: The House is under Call. All legislators please take your seats. Record your presence. Senator Beutler, Senator Newell, Senator Schmit, Senator Hoagland. Mr. Sergeant at Arms, will you see if you can find Senator Schmit, please?

CLERK: Mr. President, while we are waiting for Senator Schmit, I have an Attorney General's Opinion that is addressed to Senator Carsten and one addressed to Senator Haberman. (See pages 1247 through 1252 of the Legislative Journal.) Senator Pirsch would like to print amendments to LB 17, and Senator Landis and Howard Peterson to LB 478, and your Enrolling Clerk respectfully reports that she has presented to the Governor for his approval the following bills: 47, 84, 151, 220, and 313.) (See pages 1252 through 1256 for amendments to LB 17 and 478 in the Legislative Journal.) And your Committee on Enrollment and Review respectfully report that they have carefully examined and engrossed LB 245 and find the same correctly engrossed, and 245A correctly engrossed.

SENATOR CLARK PRESIDING

SENATOR CLARK: Do you want to continue, Senator Chambers, or do you want to wait for Senator Schmit? Call the roll.

CLERK: (Read the roll call vote as found on page 1246 of the Legislative Journal.)

SENATOR CARSTEN: Mr. President, may we have the motion restated. I am not quite sure that anybody knows....

SENATOR CLARK: The Clerk will restate the motion.

CLERK: Mr. President, the motion is to overrule the Speaker's agenda by removing LB 40.

SENATOR CLARK: If you want to support the Chair, you vote no.