

January 20, 1981

LB 3, 278, 468-489

CLERK: Mr. President, new bills. (Read LB 468-489 as found on pages 291-297 of the Legislative Journal.)

Mr. President, your committee on Urban Affairs gives notice of public hearing for February 4, 11 and 18, 1981.

Mr. President, the Business and Labor Committee would like to meet underneath the North balcony at 2:00 p.m.

Mr. President, Senator Chronister would like to have his name added to LB 3 as co-introducer.

SPEAKER MARVEL: No objection? So ordered.

CLERK: Mr. President, Senator Warner offers proposed rules change which will be submitted to the Rules Committee for their consideration. (See pages 298-300 of the Journal.)

Mr. President, Senator Wesely gives notice of Rules hearing scheduled for January 27.

Mr. President, Senator Hefner and Howard Peterson want to add their name to LB 278.

SPEAKER MARVEL: No objection? So ordered.

CLERK: Mr. President, I believe that is all that I have.

SPEAKER MARVEL: Senator Rumery, do you want to recess us until three-thirty?

SENATOR RUMERY: One-thirty?

SPEAKER MARVEL: Three-thirty. The motion is to recess until three-thirty. All those in favor say aye, opposed no. The motion carried. We are recessed until three-thirty.

Edited by:

  
Mary A. Turner

CLERK: (Read record vote as found on pages 908-909 of the Legislative Journal.) 25 ayes, 9 nays, Mr. President, 15 not voting.

SPEAKER MARVEL: The motion carried. The bill is advanced. Are you ready for the next item? We are going to continue on Select File. What we are trying to do in the meantime between now and noon we hope to have the priority list as promised for you. So we hope that everybody who possible will stick with us until we adjourn. Go ahead.

CLERK: Mr. President, Revenue Committee will meet in executive session Tuesday, March 17, at one-thirty in Room 1520.

Your committee on Judiciary reports LB 126 to General File with amendments; 129 to General File with amendments; 228 to General File with amendments and 242 to General File with amendments. (See pages 909-913 of the Journal.)

Senator DeCamp would like to print amendments to LB 273 in the Journal. (See pages 913-194 of the Journal.)

Your committee on Revenue reports LB 486 to General File and 412 to General File with amendments. (See pages 914-916 of the Journal.)

Mr. President, a new resolution by Senator Fenger and others. (Read LB 37 as found on pages 916-917 of the Legislative Journal.) That will be laid over.

I have a report of registered lobbyists. Your Enrolling Clerk has presented certain bills to the Governor. (Re: 55, 114, 128, 217, 246, 279, 388, 434, 462. (See page 917 of the Journal.)

Your committee on Miscellaneous Subjects recommends approval of certain gubernatorial appointments. (See page 918 of the Journal.)

Mr. President, LB 500, there are E & R amendments to the bill. Mr. President, there are E & R amendments to LB 500.

SPEAKER MARVEL: Before we proceed with that I want to introduce some guests who are underneath the South balcony from Chadron State College, 6 students, Angie Kolar from Neligh, Jim Stewart from Omaha, Laura Larson from Wauneta, Casey Frye from Lander, Wyoming, Gene Mohr of Stratton, Rhonda Hernandez of Scottsbluff. They have ridden four hundred and thirty miles on bicycles. If you would like to talk to them or see their equipment it is in the rotunda after 1:00 p.m. We welcome you to the Unicameral. Senator Beutler.

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LB 412, 36, 213, 483, 486

have real problems with any kind of delinquent interest on this category whatsoever. Six is a heck of a lot closer to zero than eight. I am not so sure six isn't the compromise. I am going to reject the eight percent.

SENATOR CLARK: The question before the House is the adoption of the Koch-DeCamp amendment. Senator Koch, did you want to close? All those in favor vote aye, all those opposed vote nay. Have you all voted? Once more, have you all voted? Record the vote.

CLERK: 13 ayes, 17 nays, Mr. President, on the motion.

SENATOR CLARK: Motion failed. Now we are on the bill. Do you have another motion on the desk?

CLERK: Yes, sir, I do. Senator Newell moves to lay the bill over.

SENATOR CLARK: Unanimous consent to lay the bill over, is there any objection? If not, so ordered. We go to LB 486. It was already ordered to be laid over, Senator Schmit.

CLERK: Mr. President, if I may, Senator Labeledz would like to print amendments to LB 483.

Committee on Ag reports LB 36 to General File with amendments.

Explanation of vote from Senator Nichol.

Miscellaneous Subjects offers confirmation of gubernatorial appointments report.

Committee on Judiciary reports 213 to General File with amendments.

Mr. President, LB 486 (Read title). The bill was first read on January 20, referred to Revenue. The bill was advanced to General File. There are committee amendments pending by the Revenue Committee, Mr. President.

SENATOR CLARK: Who is going to take the bill? Senator Carsten, committee amendments.

SENATOR CARSTEN: Mr. President, members of the Legislature, I move for the adoption of the committee amendments. The committee amendments really basically become the bill, Mr. President. Much of the original bill was deleted. The original bill called for a seventy percent based on traffic density. The real substance of the committee

amendments is that it distributes the money fifty percent on miles of maintenance of main track and fifty percent on density, now main track and side track also. Now that difference from the present law that is based a hundred percent on traffic density. So the handout that you have on your desk, the two columns, the difference, the middle column proposed is the proposed in the bill, seventy and thirty, and the one clear on the right hand side column gives you the committee amendment impact of fifty-fifty. That, Mr. President, is the change in the percentage basis and I move for its adoption.

SENATOR CLARK: To the committee amendments, Senator DeCamp.

SENATOR DeCAMP: Mr. President, I totally support the committee amendments. The committee amendments are the thing we pretty well agreed upon in the committee hearing. The original bill was worked out over a period of I guess about eight-ten months now, working with the Revenue Department, certain information from the various Senators' Districts involved and I certainly support the committee amendments and then we will deal with the bill itself.

SENATOR CLARK: Senator Kahle.

SENATOR KAHLE: Mr. President, members, I support the amendment as explained by Senator Carsten. I think it is a much fairer way of taxing the railroads and there is certain advantages of having a lot of railroad facilities in your county but without the side track and the track going through all of our counties, that facility could not exist. Many of the railroads have gone through on a diagonal through our farmlands over the state and, of course, they can't be changed now but I certainly believe that there is some handicap for having those railroads through a county and I think that they should be taxed accordingly. I believe this bill relates to that and I think it is a good approach and I hope everybody can live with it. There are some of our counties that actually are going to lose a little bit but I think all in all it is a fair bill. Thank you.

SENATOR CLARK: Senator Wagner.

SENATOR WAGNER: Mr. Speaker and members, during the summer I become pretty concerned about the railroad situation as a result of legislation that was passed by the Legislature here in the last couple of years and I then, as we moved through this year here, I made this bill, LB 486, my priority bill as a result of a lot of interest from my

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LB 486

area. I think it is a reasonable approach to kind of get a happy medium. I think it is kind of a result of probably one of the county assessors who is from Custer County who indicated that we had gone kind of far in one direction and we needed to come back in kind of another direction and hit some kind of a middle ground and I think 486 does this and, therefore, I support the bill and support the amendment.

SENATOR CLARK: Senator Newell, we are on the committee amendments.

SENATOR NEWELL: I would like to speak to the bill.

SENATOR CLARK: Senator Dworak, your light is still on. Did you want to talk? All right, the question before the House is the committee amendments. All those in favor vote aye, all those opposed vote nay. Record the vote.

CLERK: 29 ayes, 1 nay on adoption of the committee amendments, Mr. President.

SENATOR CLARK: The committee amendments are adopted. We are now on the bill. Senator DeCamp, to explain the bill.

SENATOR DeCAMP: Mr. President, members of the Legislature, let me not by the fact that we have not had a great deal of controversy or talk on this bill thus far minimize the importance and significance of it. It redoes, undoes, changes, alters two major bills that were passed a couple of years ago, LB 103 and 105. Without taking time to make recriminations or saying who was right or who was wrong then, let me simply say the bill does this. It looks at the way railroads are taxed and who gets the money and it says based upon what happened as a result of LB 103, LB 105 and equalization and revaluation of property, we have determined as a Legislature that we should redo the formulas for distribution of the money so that there is more equity, and let me say the problem develops in a relatively simple manner. I am not going to explain how railroads are taxed because that is complicated, and unless it becomes absolutely necessary, I think we have tried to contact every Senator individually here and explain the process and what happened, but it goes something like this. When we added the density factor we changed the whole ballgame and so it used to be if you had a hundred miles of track, that hundred miles had a certain factor and that hundred miles if it was up in Johnny DeCamp's territory and it was Chicago Northwestern and it had one train a week on it was basically in many respects the same as one

hundred miles that had ten or twenty coal trains a day going over it. With the new developments, we said density is important. I think we said too important and we are undoing that. We said now if you have a hundred miles and you have ten trains a day over it that is, to use something simple, a hundred times ten, and so you have got the benefit of having all that traffic through your area, but forgotten in this whole thing was the fact that the feeder lines, the railroad system, the whole picture of the railroad industry is contributed to and supported by the entire State of Nebraska and so what we do with the bill, with the amendment, is give a certain emphasis to density, fifty percent is what we have chosen as a figure with the committee amendments, and, of course, fifty percent to mileage. You can look at the bill best by picking up the sheet that I handed out and on it you will have pink, I don't know why we used pink but anyway you will have pink outlining your particular counties in your district and you can see, for example, that in 1978 when we were just on density, I mean, just on mileage you had a certain value. You had a couple of factors come into play then, 1979 and 80. You had LB 103 and 105 passed and then you had revaluation. Net effect was to just massacre some areas such as Senator Wagner's, Senator Schmit's, so on and give some windfalls that were not anticipated or projected on this floor to some other areas. So what we do then, if you go over to the final column which is what you settled on by your vote, the final column says fifty percent density, fifty percent mileage. What you would do would look at that and say your mill levy times that value is where you are going to get your money from the railroads. So let's just take an example, Douglas County, Omaha, they lose some money. They lose some valuation but they gained far more than they ever anticipated when LB 103 and 105 and revaluation were passed. Lancaster County gains a little money because they lost more. Senator Wagner, Senator Schmit, there is a couple of them that recover by no means all of what they lost but they recover a significant amount. I believe personally and privately over the last three months each of you have been contacted, had this discussed with you and I hope we can advance the bill without too much controversy. I had thought everybody was pretty much in agreement. I noticed in the last five minutes that my good friend Senator Newell is indicating he may not be in agreement now even though I thought he was but overall I think it is pretty well agreed on and I would hope we could advance it and get this situation that is a very sensitive one for everybody for about two years now settled and get some equity in this railroad taxation. A secondary

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question is whether we have to increase, you know, the amount we are taxing railroads, a separate issue, and we can look at that next year. We are doing that this year with one of the taxes, but what this does, it doesn't do anything other than try to equalize things a little bit. So I urge you to advance the bill.

SENATOR CLARK: Senator Newell.

SENATOR NEWELL: Mr. President, members of the body, at this point in time I think I will support the advancement of 486. Let me say that I do not totally agree with Senator DeCamp's explanation of the bill but I had originally agreed not to discuss or debate this strenuously because I was seen as one of the opposing members of this piece of legislation, but as things unveil, I see that there is a lot of agreements that are falling apart, and because of that and my general concern about the falling apart of various agreements, I think that maybe I will have to reserve my comments for this and my judgment for this on Select File, because frankly we may not have the understanding that we thought we would have on a number of different issues. Senator DeCamp is offering amendments to 40, some question about 284 at this point, some other questions have arisen that make me have doubts about the merits of various pieces of legislation. It is an unfortunate thing but it happens when you tie things together as others in this body have done.

SENATOR CLARK: Senator Hefner.

SENATOR HEFNER: Mr. President, colleagues, I rise to support the bill and the amendments. I think it is a direction in the right way. I was a cosponsor of the bill because I figured that we should try and take care of some of the problems that we had after we passed LB 103 and LB 105 several years ago. There are several counties in my legislative district that it doesn't help but there are others that it does and so I think it would be fair and just to go ahead and pass this bill. I think we were snookered into this deal several years ago when we passed LB 103 and 105, and as you study the taxation of the railroads, it is a very complicated process and what this bill does we would just be making it a little more equitable. I urge you to support the bill.

SENATOR CLARK: Senator Koch.

SENATOR KOCH: A question of Senator DeCamp.

SENATOR CLARK: Senator DeCamp.

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SENATOR DeCAMP: Yes, sir.

SENATOR KOCH: Senator DeCamp, are you willing to support other formulas we are going to talk about density?

SENATOR DeCAMP: Pardon.

SENATOR KOCH: Well, we have some other formulas we talk about density occasionally. Now you can interpret density according to population. In this case you are interpreting density according to what?

SENATOR DeCAMP: Okay, what you are talking about...

SENATOR KOCH: Just tell me what density stands for here now?

SENATOR DeCAMP: Density would mean the number of trains over a particular mile of track in a particular time period.

SENATOR KOCH: All right, we are not talking about number of people, are we?

SENATOR DeCAMP; No, no, no. This really (interruption).

SENATOR CLARK: One at a time.

SENATOR KOCH: I just sort of (interruption)...I want to get 284 and talk about formulas, about how it is convenient for us one day to talk about density even though that might be not quite applicable but suddenly when we find that some of our fiefdoms lost some money, we all were here a couple of years ago when we talked about this bill, and I think generally we all voted for it. At that time I knew we were going to have some loss. But I just want the body to know that we should be somewhat uniform when we take these kinds of actions and it will be interesting to see when we get to 284 what kind of formula we will use there, whether we are going to count people as a form of density or we are going to just stay right with property valuation and nothing else. Thank you.

SENATOR CLARK: Senator Carsten.

SENATOR CARSTEN: Mr. Chairman, members of the Legislature, once again I rise to suggest to this body that with 486 we are answering a problem that we created ourselves and that we should address that problem without relating to one or more others. It appears to me and I think the majority or our committee, as our committee statement says, that



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LB 486

which we did recommend is fair and equitable and one that does rectify some of the problems that we have caused. I suggest again that you look at this bill and what it does, not for what it relates to as other measures pass before us. One other thing that I didn't mention in the committee amendments that I should have and that it is that it does include the emergency clause because when the Board of Equalization meets in July this bill will then be in effect and they can make judgment on those taxing problems of the railroads at that point. But keep in mind that this bill does have lots of merit for the State of Nebraska as a whole and I hope you keep that in mind as you concentrate on this bill and as you vote. I certainly urge you to support it. Thank you, Mr. President.

SENATOR CLARK: Senator Wagner.

SENATOR WAGNER: Mr. Speaker, I call the question.

SENATOR CLARK: You were the last speaker. The question before the House is the advancement of the bill. Senator DeCamp, do you want to close?

SENATOR DeCAMP: Mr. President, just to say it is an important bill. I think it is fair. If it were not fair and reasonable and necessary, you would see people like Senator Cullan, I was going to say Senator Newell but he will probably oppose it anyway, Senator Cullan and others who strongly supported 103 and 105, you would see them fighting this. They aren't and they aren't because they realize that with all the variable things that occurred an injustice was done. Now it is not my intent to cast blame or anything else. I think Senator Cullan told us the truth when he said on the basis of the information from the Revenue Department, which was the best I had available, that is what I thought would happen. What he projected did not occur. What our duty is is simply to make it fair and correct it today. So with that understanding I urge you to advance the bill.

SENATOR CLARK: The question before the House is the advancement of 486 to E & R. All those in favor vote aye, all those opposed vote nay. Voting aye, Mr. Clerk.

CLERK: Senator Clark voting aye.

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

CLERK: 27 ayes, 1 nay on the motion to advance the bill, Mr. President.

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LB 486, 436

SENATOR CLARK: Motion passed. The bill is advanced. We have two bills left, #436 is next.

CLERK: Mr. President, LB 436 (Read title). The bill was first read on January 20, referred to the Business and Labor Committee. The bill was advanced to General File.

SENATOR CLARK: Senator Rumery, do you want to explain the bill? There is no committee amendments.

SENATOR RUMERY: Mr. President, members of the Legislature, LB 436 was introduced to add to that portion of the law which eliminates a discrimination on the basis of race, creed, color, sex, disability and national origin and so forth. We simply would like to add "state origin" to that, to that list. There have been instances in the state where people have not been able to be hired because they were from a certain state, in fact, some of them said in Nebraska and we think that this is definitely discrimination and we would like to add that to the list. Mr. President, I move the advancement of the bill.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Senator Koch, do you wish to be recognized?

SENATOR KOCH: A question of Senator Rumery please.

SENATOR RUMERY: Yes.

SENATOR KOCH: Senator Rumery, as I look at the report furnished by the committee, I notice the University had some concerns. Can you explain that to me why Dr. Sample appeared in a position opposite of the bill?

SENATOR RUMERY: Well, Dr. Sample was there but he didn't testify while I was there and they had some concerns about it and, frankly, the University of Nebraska has been one of them that has used this "state origin" in what we think is a discriminatory manner.

SENATOR KOCH: Does that have to do with educational background, where it was obtained, such as a country other than the United States, high degrees?

SENATOR RUMERY: Not that I know of. Our concern is that people of Nebraska, graduates of Nebraska have been discriminated against and we don't think there ought to be discrimination against any employee regardless of his background and it is spelled out now in the laws that exist and

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LR 51  
LB 241, 486

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by Father Samuel Boman, St. David's Episcopal Church here in Lincoln.

FATHER SAMUEL BOMAN: Prayer offered.

PRESIDENT: Roll call.

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

PRESIDENT: Record the presence, Mr. Clerk.

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

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

CLERK: No, sir, there are no corrections to the Journal this morning.

PRESIDENT: The Journal stands correct as published. We will go then to messages, reports and announcements.

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined LB 486 and recommend that same be placed on Select File with amendments, LB 241 with amendments. (Signed) Senator Kilgarin, Chair. (See pages 1346 and 1347 of the Legislative Journal.)

PRESIDENT: Okay, we will go on then to the first item on the agenda, item #4, resolutions. LR 51, Mr. Clerk.

CLERK: Mr. President, LR 51 is found on page 1328 of the Journal. It is introduced by Senators Kilgarin, Dworak, Wesely, Cullan and others. (Read LR 51.) That is found on page 1328, Mr. President.

PRESIDENT: The Chair recognizes Senator Kilgarin.

SENATOR KILGARIN: Thank you, Mr. President, and members of the Legislature I think we have a real opportunity here to honor our Nebraska Gymnastics Team. Three straight titles three years in a row. We have got some wonderful gymnasts down there, Phil Cahoy, Jim Hartung, lots of them. So I just would really encourage you to vote for this. It is a chance to honor our gymnastic team and they have just done really fantastic.

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LB 298, 111, 486

you all voted? Record please.

CLERK: 27 ayes, 1 nay, Mr. President, on adoption of Senator Landis' amendment.

SENATOR NICHOL: Senator Landis' amendment is adopted. Do you have anything else, Mr. Clerk?

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

SENATOR NICHOL: Senator Johnson or Senator Kilgarin, which one wants to close?

SENATOR V. JOHNSON: I would just move the bill. Voice vote.

SENATOR NICHOL: The motion is shall the bill advance. All those in favor vote aye, those opposed vote nay. We will have a machine vote. Have you all voted? Record.

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

SENATOR NICHOL: The bill is advanced.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: The next bill is LB 111 and Senator Chronister would like to have permission to lay over the bill. Any objections? If not, so ordered. The next bill is LB 486.

CLERK: Mr. President, LB 486, there are E & R amendments to the bill.

SPEAKER MARVEL: Senator Kilgarin.

SENATOR KILGARIN: I move the E & R amendments to LB 486.

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

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

SENATOR KILGARIN: I move LB 486 be advanced to E & R for engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. Motion is carried. The bill is advanced.

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LB 44, 74, 87, 113, 271, 298,  
327, 328, 331, 404, 478, 486,  
252, 241, 483

not going to be built for a variety of reasons, environmental costs, eminent domain and many other reasons. You start talking about building a project and immediately you have a whole group of people that rise up in arms to it. We all know that, but yet it is nice to stand up on the floor and make glowing speeches about how we need to store more water. But now when we are talking about an issue where we might be able to save some of that water in the State of Nebraska although it might not be in your area, it might not be in your basin, you might have to drive a couple hundred miles to go fish in it, suddenly you don't want to do that and you want to put language in the statutes that I assure you is going to prohibit it from happening. I suggest that reasonable people that are of conservative nature should agree with me to remove the language in lines 13 and 14.

SPEAKER MARVEL: Okay, the motion is on the second half of the Vickers amendment, is the adoption of that amendment. All those in favor vote aye, opposed vote no. Have you all voted? Senator Vickers, where are you? Oh, there you are. Eight are excused, Senator Vickers.

SENATOR VICKERS: Record the vote. Oh, make it...I want a record vote.

SPEAKER MARVEL: Okay, record.

CLERK: (Read the record vote as found on page 1519 of the Legislative Journal.) 10 ayes, 23 nays, Mr. President, on adoption of the amendment.

SPEAKER MARVEL: The Clerk has some items to read in.

CLERK: Your Enrolling Clerk has presented to the Governor LB 483.

I have a communication from the Governor addressed to the Clerk. (Read communication regarding the signing of LBs 44, 74, 87, 271 and 483 as found on pages 1520 and 1521 of the Legislative Journal.)

Mr. President, Senator Fowler would like to print amendments to LB 404. (See pages 1521 and 1522 of the Journal.)

Your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 241 and find the same correctly engrossed; 298, 327, 328, 486, 113, and 331 and 478, all correctly engrossed, Mr. President. (See pages 1524 and 1525 of the Legislative Journal.)

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LB 331, 478, 486

PRESIDENT: The motion is to return LB 331 to E & R for engrossment. Any discussion? If not, all those in favor signify by saying aye, opposed nay. LB 331 is returned to E & R for engrossment. The next bill on Final Reading, Mr. Clerk, is LB 478. I would remind everyone we are still on Final Reading. It is kind of hard to remember when you are debating so much but we are on Final Reading. Everyone is supposed to be at your desks by your rules. All right, Mr. Clerk, read LB 478.

CLERK: (Read LB 478 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 486 (sic) pass with the emergency clause attached. All those in favor vote aye, opposed nay. 478, yes, excuse me. Record the vote.

CLERK: (Read record vote as found on page 1583 of the Legislative Journal.) 33 ayes, 12 nays, 2 excused and not voting, 2 present and not voting, Mr. President.

PRESIDENT: LB 478 passes with the emergency clause attached. The next bill on Final Reading, Mr. Clerk, is LB 486.

CLERK: (Read LB 486 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 486 pass with the emergency clause attached. All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Read record vote as found on page 1584 of the Legislative Journal.) 42 ayes, 4 nays, 2 excused and not voting, 1 present and not voting, Mr. President.

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LR 65  
LB 11A, 35, 241, 248,  
296A, 298, 328A, 394, 470,  
478, 486.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Harold M. Onwiler, United Methodist Church, Lincoln, Nebraska. Aldersgate United Methodist Church.

PASTOR HAROLD M. ONWILDER: Prayer offered.

CLERK: Mr. President, Senators Newell and Koch would like to be excused until they arrive. Senator Wiitala as well.

SPEAKER MARVEL: Record your presence. Have you all recorded your presence? Okay, record.

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

SPEAKER MARVEL: Do you have some items in item #3?

CLERK: Yes, Mr. President, if I may, your committee on Enrollment and Review respectfully reports that we have carefully examined and reviewed LB 11A and recommend that same be placed on Select File; 296A, Select File; 328A, Select File; 394, Select File with amendments; 248, Select File and 470, Select File. All signed by Senator Kilgarin as Chair. (See pages 1599 and 1600 of the Legislative Journal.)

Mr. President, new resolution, LR 65, offered by Senator Wesely. (Commenced reading LR 65.) Oh, well then we will hold off on that, Mr. President.

Mr. President, LBs 241, 298, 478 and 486 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 241, 298, 478, 486. Do you have any other items under #3?

CLERK: Mr. President, Senator.....I have nothing further, Mr. President.

SPEAKER MARVEL: We are ready to go on Final Reading. Will all legislators please return to your seats. Will you please return to your seats so we can begin reading about three bills on Final Reading? Okay, the first bill on Final Reading is LB 35.

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

SPEAKER MARVEL: Read the motion.

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LB 13, 184, 241, 242,  
244A, 298, 477, 478, 486

Reading? Those in favor vote aye, opposed vote no.  
Have you all voted? Have you all voted? Record the vote.

ASSISTANT CLERK: (Read the record vote as found on page 1607 of the Legislative Journal.) The vote is 41 ayes, 11 nays, 2 excused and not voting and 2 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. The Clerk will now read on Final Reading LB 249.

ASSISTANT CLERK: (Read LB 249 on Final Reading.)

SPEAKER MARVEL: All provisions of law having been complied with, the question is, shall the bill pass? Those in favor vote aye, opposed vote no. LB 249 on Final Reading. Have you all voted? Record the vote.

ASSISTANT CLERK: (Read the record vote as found on page 1608 of the Legislative Journal.) The vote is 33 ayes, 11 nays, 2 excused and not voting, 3 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. There has been a request to lay over LB 477. Senator Pirsch, do you have any comments you want to make?

SENATOR PIRSCH: Thank you, Mr. Speaker, I do ask that we lay over 477. I have been informed that it does require an A bill, although it is not over the \$50,000 that I thought was necessary to require an A bill. So I will get that in the works immediately and ask you to indulge the lay-over of this bill at the present time.

SPEAKER MARVEL: Hearing no objection, we will pass over the bill. Okay, the Clerk has some items to read in and then we will go to Select File.

CLERK: Mr. President, Senator Carsten would like to print amendments to LB 284A. (See page 1609 of the Legislative Journal.)

Mr. President, your Enrolling Clerk has presented to the Governor for his approval LB 486, 478, 298 and 241.

Mr. President, Miscellaneous Subjects will have a meeting at twelve noon in Room 2102.

Mr. President, Senator Burrows would like to print amendments to LB 184. (See page 1609 of the Legislative Journal.)



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LB 132, 241, 255, 486, 560

LR 67 as found on pages 1668 and 1669 of the Legislative Journal.)

Mr. President, your committee on Appropriations reports LB 255 to General File with amendments. (See page 1669 of the Legislative Journal.)

I have a message from the Governor addressed to the Clerk. (Read message as found on page 1669 of the Legislative Journal regarding LBs 241, 486 and 132.)

Mr. President, with respect to LB 560, I have no E & R amendments. There are Appropriations Committee amendments, Mr. President, found on page 1640, 1641.

SPEAKER MARVEL: Senator Warner, do you wish to explain the committee amendments?

SENATOR WARNER: Yes. Mr. President, I move adoption of the committee amendments. There are three in number, none of which has any impact on...or any addition of dollars. The first amendment merely changes some program numbers in the state college appropriation to accurately accommodate the state accounting system. The second amendment is an adjustment in the salary policy for the Coordinating Commission...the maximum salary of the Coordinating Commission for Postsecondary Education for one of the positions and the adjustment, which again is no increase in money. It's \$47. And the last amendment is only language clarifying that the University's budget submission next year for '82-'84 would be under the interchange program classification structure with the University of Nebraska at Lincoln. The Institute of Agriculture, the University of Nebraska at Omaha, the Medical Center, and the Systems Office will be submitted as individual budgets which is what we traditionally do anyway, but it spells it out in the bill. I would move adoption of the amendments.

SPEAKER MARVEL: The motion is the adoption of the committee amendments. All those in favor of that motion vote aye, opposed vote no. Record.

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

SPEAKER MARVEL: The motion is carried and the committee amendments are adopted.

CLERK: Mr. President, I now have an amendment from Senator... well, Senator Newell had amendments on 1547 that he would like