

January 20, 1981

LR 6, 7
LB 490 - 529, 144, 182

SENATOR BURROWS: I move the adoption of the resolution as amended.

SPEAKER MARVEL: Any further discussion on that motion? All those in favor of that motion vote aye, opposed vote no. Have you all voted? Record the vote.

CLERK: 42 ayes, 1 nay on adoption of the resolution, Mr. President.

SPEAKER MARVEL: The motion is carried and the amendment is adopted. Members of the Legislature, it is my privilege to introduce to you a young lady who with her staff has put out at least 869 separate bills and I would like to have her stand, and if it is your will to acknowledge the work that is done. The Clerk will read.

CLERK: Mr. President, new bills: (Read title to LB 490 through LB 517, pages 305 - 311, Legislative, Journal.)

Mr. President, while we are waiting, new resolution, LR 7: (Read. See pages 212 and 213, Legislative Journal.) That will be laid over.

Mr. President, hearing notice is provided by the Business and Labor Committee for February 4.

Mr. President, Senator Labedz offers explanation of vote.

Mr. President, new bills: (Read title to LB 518 through LB 526, pages 314 - 316, Legislative Journal.)

Mr. President, Senator Burrows would like unanimous consent to have his name added to LB 144 as coinroducer.

SPEAKER MARVEL: Hearing no objection, so ordered. One last call, does anybody have any legislation that is buried someplace that you would like to dig up? Now is your chance. Last call for any legislation.

CLERK: Mr. President. (Read title to LB 527 and 528, pages 316 and 317, Legislative Journal.)

Mr. President, Senator Kremer would like to ask unanimous consent to have his name added to LB 182 as coinroducer.

SPEAKER MARVEL: Hearing no objection, so ordered.

CLERK: Mr. President: (Read title to LB 529, page 317, Legislative Journal.)

March 16, 1981

LR 38

LB 101, 134, 193, 241, 267,
296, 368, 430, 490, 497

SPEAKER MARVEL: The motion is carried. The report is approved. Now we go to the last one, Banking, Senator DeCamp.

SENATOR DeCAMP: The committee voted unanimously to support the approval of Gwen Hershberger. I move she be approved by the Legislature. She is from Milford.

SPEAKER MARVEL: All in favor of the DeCamp motion on behalf of the Banking Committee to approve the young lady from Milford vote aye, opposed vote no. Have you all voted? Record the vote.

CLERK: 29 ayes, 0 nays, Mr. President, on adoption of the report.

SPEAKER MARVEL: The motion is carried. The report is adopted. It is my privilege to introduce to the Legislature David Noonan who is a student from Bethany School and is visiting Senator Fitzgerald today. Will you please stand and hold up your hand so we can see where you are? Okay. From Senator Goll's District, 19 junior and senior students from Tekamah-Herman High School, Tekamah, Nebraska, Mr. Gordon Gentzler, Instructor, Mr. Gene Chamberlain, member of the American Legion, who was instrumental in bringing the group to Lincoln. Where are you folks located? Will you hold up your hand so we can see? Welcome. And from Senator Goodrich's District, 31 eighth grade students from St. Thomas More School, Omaha, Nebraska, Miss Kathy Wilcox, teacher. Where are you folks located? The Clerk has some items to read in and then we will move to item #5.

CLERK: Your committee on Urban Affairs whose Chairman is Senator Landis reports 241 to General File with amendments. (Signed) Senator Landis.

Public Health and Welfare whose Chairman is Senator Cullan reports 267 and 296 to General File with amendments. (Signed) Senator Cullan, Chair.

Mr. President, your committee on Miscellaneous Subjects whose Chairman is Senator Hefner reports a series of items to the Legislature; reports LB 134 to General File, LB 490 to General File; LB 497 to General File with amendments; LB 101 Indefinitely postponed; LB 193 Indefinitely postponed; LB 368 Indefinitely postponed; and LB 430 Indefinitely postponed. All signed by Senator Hefner as Chair.

Mr. President, a new resolution, LR 38. (Read. See pages 937 and 938, Legislative Journal.) That will be laid over, Mr. President.

May 1, 1981

LR 66
LB 310, 497

can now petition your land into that district whether there are any buildings on it or not or whether you live there or not. I think this will help with some of the problems we have had with rural fire districts so I move for the movement of LB 310. Thank you.

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

CLERK: 29 ayes, 0 nays, Mr. President, on the motion to advance LB 310.

SPEAKER MARVEL: While the Legislature is in session and capable of transacting business, I am about to sign and do sign LR 66. Are we ready for 497 now?

CLERK: Yes, sir, we are. Mr. President, LB 497 (read title). The bill was read on January 20. It was referred to Miscellaneous Subjects, Mr. President. The bill was advanced to General File. There are committee amendments pending by the Miscellaneous Subjects Committee.

SPEAKER MARVEL: Senator Barrett, do you wish to handle the committee amendments to LB 497?

SENATOR BARRETT: Thank you, Mr. Speaker and members, there are two additional Miscellaneous Subjects Committee amendments to LB 497. Specifically the repeal of 72-731 which is a section to require public buildings to display the American flag day and night until the Vietnam war ends and the other is the repeal of Chapter 78 which was enacted in 1883 involving old salvage laws, salvage of boats, logs, et cetera, et cetera, regulating the finders and the salvors in what may or may not be done. Finally, it corrects a technical mistake in the bill, on page 2, lines 2 and 5. I would move that the committee amendments be adopted.

SPEAKER MARVEL: The motion is the adoption of the committee amendments to LB 497 as explained by Senator Barrett. All those in favor vote aye, opposed vote no. Record.

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

SPEAKER MARVEL: Motion is carried. The committee amendments are adopted. Senator Hoagland.

SENATOR HOAGLAND: Mr. Speaker and colleagues, about a half an hour ago there was distributed a two page memo that

May 1, 1981

LB 497

summarizes the various statutes that are to be repealed both in the original bill and in a set of amendments that Senator Wesely will offer. Now I don't think it makes sense to spend time going through all of these things but why don't I just mention two or three of the most interesting. The bill would repeal Section 71-504, a law that was enacted in 1919 to prohibit the use of common drinking cups. The bill would also repeal a series of about eleven sections that were enacted in 1947 and were known as the Nebraska Antifreeze Act. Now what happened is sometime after the war a bad batch of antifreeze was marketed in the State of Nebraska and as a result of that a minor regulatory scheme was enacted which requires that any new antifreeze to be marketed in Nebraska be tested by the Department of Agriculture. Now the Department of Agriculture has faithfully been doing that for many, many years now with the cost of about \$2,000 per batch of antifreeze tested. It also costs the company about \$2,000 to prepare a batch of antifreeze for testing. There has been no problem with any antifreeze marketed in the State of Nebraska since the act was passed in 1947, as I understand it, and this request for repeal comes to us from the Department of Agriculture. Now most of the statutes that are included in the original committee bill have been recommended by state agencies following a survey that my office took over the summer. The final subject that I might mention is the repeal of the public library employees retirement fund which was set up in 1921. It was designed for the City of Omaha and their retirement fund is now obsolete because Omaha treats the employees of the library like all other city employees and their retirement benefits are handled in that fashion. So the City of Omaha has consented to our repealing those provisions. I would be happy to answer any questions about any of the provisions that we are repealing in the original bill or in the committee amendments and Senator Wesely, I am sure, will want to address his amendment and will be happy to answer any questions about the repealers that he has come up with. Thank you, Mr. Speaker.

SPEAKER MARVEL: Okay, Senator Wesely, do you have an amendment you wish to propose?

SENATOR WESELY: Mr. Speaker, members of the Legislature, I do have an amendment to LB 497. It does repeal an additional five sections of the statutes or approximately five sections of the statutes dealing with a number of different items. These were brought to me by the bill drafter's office. When Senator Hoagland passed his bill last year which repealed a number of statutes, I added an amendment which said that the bill drafter's office will as a matter of course in drafting legislation look for statutes that are no longer

necessary and will then recommend to the Legislature the repeal of those statutes. This amendment that I am offering then is a result of that effort by the bill drafter and, again, I would like to emphasize, this will be an ongoing effort. I know Senator Hoagland will continue his efforts but the bill drafter as well will as part of the statutes have to try and find obsolete language that we no longer need and then ask that it be repealed each session. The different sections I have deal with a number of different things. Probably the one which may catch your eye more than any other is the one dealing with the sticker for the Game and Parks Commission which they can charge a dollar for to get into a state recreation area. That sounds familiar, doesn't it. Well, we are repealing that section. Don't get your hopes up. We are not repealing the park entry fee but, in fact, sometime ago we passed this other sticker law and provided for this opportunity but it never was used and never enacted and just was sitting on the books and then we passed this other one and so they are in duplication and we don't need this and it has not been used and so I think that Senator Goodrich has checked with the Game and Parks Commission Office as Senator Hoagland and others have and quite, in fact, there is no need for that section at all even though it may catch your eye. So I ask for the adoption of my amendment to this bill.

SPEAKER MARVEL: The motion is the adoption of the Wesely amendment to the bill. All those in favor of that motion vote aye, opposed vote no. While we are waiting for the vote, it is my privilege to introduce from Senator Stoney's District 72 eighth grade students and ten adults from St. Robert School, Omaha, Nebraska, Mr. Luvern Gubbels, Mr. Larry Zahm, and Mrs. Laura Gelecki are the teachers, and if you will hold up your hands, we will wish you good morning. Where are you located? From Senator Goll's District, 58 fourth grade students and six adults from Central School of Blair, Nebraska. Mrs. Mabel Kastrup and Mrs. Mary Sellon are the teachers and they are in the South balcony and will you raise your hand so we can see where you are. We are still voting on the Wesely amendment to the bill. Record.

CLERK: 25 ayes, 0 nays, Mr. President, on the motion to adopt the Wesely amendment.

SPEAKER MARVEL: The amendment is adopted. Senator Hoagland.

SENATOR HOAGLAND: Let me just say a couple of remarks in closing, Mr. Speaker. With the bill now as amended, we will be repealing about between sixty and seventy sections of the Nebraska statutes that are obsolete, about fifteen or twenty

May 1, 1981

LB 497, 250

pages of the Nebraska code, and we are also by getting rid of the Nebraska Antifreeze Act being able to get rid of some Nebraska...some excessive governmental regulation, not a lot of regulation, granted, but at least we are undoing that particular regulatory scheme. So I would ask your advancement of this particular bill. Thank you.

SPEAKER MARVEL: The motion is to advance the bill as amended. All those in favor of that motion vote aye, opposed vote no. LB 497. Have you all voted? Record.

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

SPEAKER MARVEL: The motion is carried. The bill is advanced. LB 250.

CLERK: Mr. President, LB 250 (read title). The bill was read on January 16, referred to Government, Military and Veterans Affairs, advanced to General File. There are committee amendments pending, Mr. President.

SPEAKER MARVEL: Senator Kahle.

SENATOR KAHLE: Mr. Speaker and members, the committee amendments involve a couple of words really. LB 250 makes several changes relating to the Commission for the Hearing Impaired. Most of the bill involves technical changes but the committee did make three changes to the bill. First on page 3, we reinserted that the Commission was for "advocating" public policies and programs rather than "facilitating" them. We felt that "advocating" better defined their mission. Secondly, on page 4 we again reinstated language, this time "promote" the training of interpreters rather than the Commission would "provide" for their training. Providing for the training of interpreters could have a major fiscal impact on the Commission and the Commission does not want to get into this area. Finally on page 4, we reinserted the word "voluntary" to say that the Commission will conduct a voluntary census of the hearing impaired people of the state rather than just a census. The committee felt this could create a situation of forced registration by people that they are hearing impaired and no one wants to force this. These are the committee amendments. I move for their adoption.

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

CLERK: 25 ayes, 0 nays, Mr. President, on the adoption of the committee amendments.

May 5, 1981

LB 70, 163, 172, 184, 242, 250,
285, 302, 310, 324, 369, 375, 494,
497, 527, 557, 558, 559, 560, 561, 562.

aye, opposed vote no. Have you all voted? Senator Burrows.

SENATOR BURROWS: I would like a Call of the House and a roll call vote.

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

CLERK: 16 ayes, 1 nay to go under Call, Mr. President.

SPEAKER MARVEL: The Legislature is under Call. Please return to your seats. Record your presence. Senator Burrows, do you want to record....Senator Kahle, Senator Hefner, Senator Goodrich, Senator Wagner, Senator Landis, Senator Newell, Senator Chambers, Senator Pirsch, Senator Labedz, Senator Higgins. While we are waiting, under the north balcony Mr. Jack Fletcher and his son, Monte, Jack is a former resident of Lincoln County, Nebraska, and now lives in Upland, California, and they are guests and friends of Myron Rumery. And from Senator Remmers' District, 14 students from Tablerock, Nebraska, Mrs. Griffith, teacher. Should be in the north balcony. Are they?

CLERK: Mr. President, while we are waiting, your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 163 and find the same correctly engrossed, 557, 558, 559 and 560, 561, 562, all correctly engrossed. (Signed) Senator Kilgarin. Your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 242 and recommend that same be placed on Select File, 494 Select File with amendments, 369 Select File, 310 Select File with amendments, 497 Select File with amendments, 250 Select File, 302 Select File with amendments, 70 Select File with amendments, 285 Select File with amendments, 324 Select File with amendments. (See pages 1771 through 1773 of the Legislative Journal.) Mr. President, Senator Schmit, Kremer, Chronister and VonMinden move to place LB 375 and 377 on General File pursuant to Rule 3, Section 18(b). Senator Carsten would like to print amendments to LB 172, and Senator Lamb to LB 285. (See pages 1769 through 1771 of the Legislative Journal.)

SPEAKER MARVEL: Senator Labedz, Senator Higgins, Senator Chambers, Senator Goodrich. Senator Burrows, do you want to start the roll call? We have four that still are unaccounted for.

May 8, 1981

LB 361, 228, 250, ,
369, 497

SENATOR KILGARIN: I move LB 361 be advanced to E & R for engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. Motion is carried. 361 is advanced. Next bill, 228.

SENATOR KILGARIN: I move we advance LB 228 to E & R for engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. Motion is carried. 228 is advanced. 369.

SENATOR KILGARIN: I move we advance LB 369 to E & R for engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. Motion is carried. The bill is advanced. The next one, 310.

SENATOR KILGARIN: I move the E & R amendments to LB 310.

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

SENATOR KILGARIN: I move we advance LB 310 to E & R for engrossment. 310.

SPEAKER MARVEL: The motion is the advancement of 310. All in favor of that motion say aye, opposed no. The motion is carried. The bill is advanced. The next bill is 497.

SENATOR KILGARIN: I move the E & R amendments to LB 497.

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

SENATOR KILGARIN: I move we advance LB 497 to E & R for engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. Motion is carried. The bill is advanced. 250 is the next one.

SENATOR KILGARIN: I move we advance LB 250 to E & R for engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. Motion is carried. 250 is advanced. The next bill is LB 70. We are going to pass over 302 and 544 so it is LB 70.

LB 3, 11, 12, 70, 95, 99, 228,
250, 257, 266, 266A, 296A,
310, 318, 328A, 369, 381, 384,
389, 428, 441, 470, 472, 472A,
497, 501, 506, 541, 543, 556A

May 11, 1981

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by Chaplain Palmer.

REVEREND PALMER: Prayer offered.

PRESIDENT: Roll call. Record the presence, Mr. Clerk.

CLERK: Quorum present, Mr. President, plus one.

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

CLERK: Mr. President, I have no corrections.

PRESIDENT: The Journal will stand as published. Any other messages, reports or announcements?

CLERK: Mr. President, I have an Attorney General's opinion addressed to Senator Chronister regarding compensation of rural water districts. That will be inserted in the Journal. (See pages 1899-1900 of the Journal.)

Mr. President, your committee on Enrollment and Review respectfully reports that we have carefully examined engrossed LB 3 and find the same correctly engrossed. 11 correctly engrossed, 12 correctly engrossed, 70 correctly engrossed, 95 correctly engrossed, 99 correctly engrossed, 228 correctly engrossed, 250 correctly engrossed, 257 correctly engrossed, 266 correctly engrossed, 266A correctly engrossed, 296A correctly engrossed, 310 correctly engrossed, 328A correctly engrossed, 369 correctly engrossed, 381 correctly engrossed, 384 correctly engrossed, 389 correctly engrossed, 428 correctly engrossed, 441 correctly engrossed, 470 correctly engrossed, 472 correctly engrossed, 472A correctly engrossed, 497 correctly engrossed, 501 correctly engrossed, 506 correctly engrossed, 541 correctly engrossed, 543 correctly engrossed. Those are all signed by Senator Kilgarin as Chair.

Mr. President, a new A bill, LB 556A, offered by the Speaker at the request of the Governor. (Read as found on page 1904 of the Legislative Journal.)

Mr. President, Senator Vard Johnson would like to print amendments in the Journal to LB 428 and Senator DeCamp to LB 318. See pages 1904-1906 of the Legislative Journal.)

PRESIDENT: The Chair recognizes Speaker Marvel for an explanation of order of business today on the agenda. Speaker Marvel.

May 18, 1981

LB 441, 470, 497

have four more students from the Political Behavior Class, Papillion LaVista High School, guests of Senator Beyer over here under the south balcony, Sandy Heibrink, Angela Binkure, Sharon and Karen Stilley. Would they stand and be recognized. Welcome to your Nebraska Unicameral Legislature. We will go now to the next bill on Final Reading which is LB 441.

CLERK: Read LB 441.

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 441 pass. All those in favor vote aye, opposed vote nay. Record the vote.

CLERK: 49 ayes, 0 nays. Vote appears on page 2066 of the Legislative Journal.

PRESIDENT: LB 441 passes. Next bill on Final Reading is 470. 470.

CLERK: Read LB 470.

RESIDENT: All provisions of law relative to procedure having been complied with, the question is shall LB 470 pass. All those in favor vote aye, opposed vote nay. Record the vote.

CLERK: 46 ayes, 0 nays, 3 present and not voting. Vote appears on page 2067 of the Legislative Journal.

PRESIDENT: LB 470 passes. The next bill on Final Reading, Senator Hoagland, did you discuss this with the Speaker?

SENATOR HOAGLAND: I have Mr. President, we'd ask that this be laid over one day.

PRESIDENT: All right, Speaker Marvel, is that agreeable?

SPEAKER MARVEL: The first thing I would do is call to your attention the agenda item number six, is General File. Then we go to special order from the bills that are listed under General File special order, this is it. There are no more bills that will be processed after we get through with 218. So we have to begin to tighten up the...tighten up the whole procedure. I indicated and I have no idea what 497 is supposed to do, but if you lay it over one day, but if you lay it over more than that, what you are doing is depriving somebody of the right to have their bill processed. Let me repeat once

May 18, 1981

LB 497, 501

more. On the bottom half of the agenda, there are bills under special order. That is the end. 218, that is the end. There will be no more bills. There is no more time for bills in this category. So you will move to the next category which will be next session. This is the end of it and I would suggest to you that if we start pulling bills off on Final Reading it is simply going to deprive some of those who waited quite awhile on special order to get their bills up.

PRESIDENT: Senator Beutler, did you wish to, I don't wish to prolong the discussion, but Senator Beutler. Senator Hoagland, you wanted to put it over then one day. That is all. So the next final reading period. All right, we proceed then, with the Speaker's permission we will pass over for one day, we will go to LB 501 for Final Reading Mr. Clerk.

CLERK: Read LB 501 on Final Reading.

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 501 pass. All those in favor vote aye, opposed vote no. Record the vote.

CLERK: 46 ayes, 3 nays. Vote appears on page 2068 of the Legislative Journal.

May 18, 1981

LR 185
LB 70, 99, 134, 146, 250,
404, 466, 497, 543.

SENATOR SCHMIT: Mr. President, I move the bill be readvanced to Final Reading.

PRESIDENT: Motion to readvance to Final Reading. All those in favor signify by saying aye. Opposed nay. The bill is advanced to Final Reading and we are on Final Reading on LB 543, Mr. Clerk.

CLERK: (Read LB 543 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 543 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Read the record vote as found on page 2071 of the Legislative Journal.) 40 ayes, 4 nays, 5 present and not voting, Mr. President.

PRESIDENT: LB 543 passes with the emergency clause attached. The Chair recognizes Speaker Marvel since it's noon, high noon.

SPEAKER MARVEL: Well, I have got some figures here but I will wait until after lunch and I move that we recess until about 1:20.

PRESIDENT: All right. The Clerk has some matters to read in real quickly and then I will call that motion.

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports that they have carefully examined and engrossed LB 466 and find the same correctly engrossed. (See page 2072 of the Legislative Journal.)

Communication from the Governor addressed to the Clerk regarding LB 70, 99, 146 and 250. (See page 2072 of the Legislative Journal.)

Mr. President, I have a Reference Report referring a gubernatorial appointment to the Public Health and Welfare Committee for confirmation hearing. (See page 2071 of the Legislative Journal.)

Mr. President, new resolution, LR 185, offered by the Speaker. (Read LR 185 as found on page 2073 of the Legislative Journal.)

Mr. President, Senator DeCamp would like to print amendments to LB 497; Senator DeCamp to 134; and Senator Warner to 404. (See pages 2073 and 2074 of the Journal.) That is all that I have.

May 21, 1981

LB 541A, 497

with, the question is, shall the bill pass? Those in favor vote aye, those opposed vote no. Have you all voted? Record the vote.

ASSISTANT CLERK: (Record vote read. See page 2185, Legislative Journal.) The vote is 35 ayes, 13 nays, 1 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed with the emergency clause attached. Now before we go to the last item on Final Reading for the morning, underneath the South balcony it is my privilege to introduce John Anderson of Holdrege, Nebraska as a guest of Senator Barrett. Now the Clerk will read on Final Reading LB 497.

ASSISTANT CLERK: Mr. President, I have a motion on the desk. Senator DeCamp moves to return LB 497 to Select File for specific amendment. That amendment is found on page 2073 of the Legislative Journal.

SPEAKER MARVEL: Excuse me, excuse me, can't hear up here. Do you want to try again? (Gavel).

ASSISTANT CLERK: Mr. President, Senator DeCamp moves to return LB 497 to Select File for specific amendment. That amendment is found on page 2073 of the Journal.

SPEAKER MARVEL: Senator DeCamp.

SENATOR DeCAMP: Mr. President, members of the Legislature, we laid this bill over the other day on the theory that maybe Senator Hoagland and Senator Chambers and I and some others interested in the question of expenses could reach some understandings or settlements and maybe put this amendment on. I think I am going to withdraw the amendment. It would take hours to debate germaneness, so on and so forth. My conversation with Senator Chambers indicates he is going to be talking to the Exec Board and some others that are working on the expense thing before he does anything. The amendment was intended to repeal his bill that was passed earlier. I think it can be worked out another way and at this late date it would cause more havoc than help so I will withdraw it and hope we can work this out some other way.

SPEAKER MARVEL: Hearing no objection, so ordered. Okay, the Clerk will now read on Final Reading LB 497.

CLERK: (Read LB 497 on Final Reading.)

SPEAKER MARVEL: All provisions of law having been complied

May 21, 1981

LB 497, 561

with, the question is, shall the bill pass? Those in favor vote aye, opposed vote no. 497 on Final Reading. Have you all voted? Record the vote.

CLERK: (Record vote read. See page 2186, Legislative Journal.) 46 ayes, 1 nay, 1 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. We go down to item #5 on motions and the first order of business under motions is item #2 which has to do with LB 234, a motion to reconsider. Okay, the first motion to override will be taken care of by Senator Fowler and Senator Vard Johnson.

CLERK: Mr. President, Senators Fowler and Johnson move pursuant to Rule 6, Section 14 to override the Governor's line item veto of the Department of Roads Program #305 - Assistance to Local Transit Authorities found in Section 13 on page 14 of the bill.

SPEAKER MARVEL: Senator Fowler.

SENATOR FOWLER: I would like to pass over that and get to some bigger ones first.

SPEAKER MARVEL: Is that your request?

SENATOR FOWLER: Yes, I would request that we pass over that temporarily.

SPEAKER MARVEL: Is there an objection? Hearing no objection, we go to the next item.

CLERK: Mr. President, the next motion is from Senator Koch. Senator Koch would move pursuant to Rule 6, Section 14 that the Legislature override the Governor's line item veto of the State Department of Education, program Number 143, State Aid and School Food Service and Reserve Teacher Act contained in subdivisions (b) and (c) of subsection (1) of Section 5 found on pages 3 and 4 of LB 561.

SPEAKER MARVEL: The Chair recognizes Senator Koch.

SENATOR KOCH: Mr. Speaker, members of the body, we know this subject very well and I would remind you that each year it always comes down to the final days. This is always one of the final considerations. It is appropriate, I think, to recall the Governor's State of the State's Address to us in January when he took great credit for the fact that last year

May 21, 1981

LB 389, 396A, 548, 556A,
257, 257A, 273, 273A,
346, 477, 477A, 497,
529, 529A, 541, 541A, 561

389 and find the same correctly engrossed, 396A correctly engrossed, 548A correctly engrossed, 556A correctly engrossed. All signed by Senator Kilgarin.

Mr. President, your legislative bills 273, 273A, 346, 257, 477, 541, 541A, 497 are ready for your signature.

SPEAKER MARVEL: While the Legislature is in session and capable of transacting business I'm about to sign, and do sign, LB 273, re-engrossed LB 273A, re-engrossed LB 346, re-engrossed bill 257, engrossed LB 257A, engrossed bill 477, engrossed LB 477A, engrossed LB 541, engrossed LB 541A, engrossed LB 497, engrossed LB 529, engrossed 529A.

We are still under item number five, motions, and the Clerk will read the next motion.

CLERK: Mr. President, Senator Newell has the next motion, but he has not yet arrived.

Mr. President, Senator Fowler and Vard Johnson have a motion I understand they want to withdraw.

SPEAKER MARVEL: Senator Fowler.

SENATOR FOWLER: There will be an effort to return the claims bill so I think we will try that avenue again. So, I'll ask unanimous consent to withdraw this motion to override the veto on public transit.

SPEAKER MARVEL: Hearing no objections so ordered.

CLERK: Mr. President, the next one I have then is from Senator Chambers. Senator Chambers would move to override the Governor's line item veto of the ADC appropriation contained in LB 561.

SPEAKER MARVEL: Chair recognizes Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature this is an issue which we have discussed from time to time this session. It is one of those highly emotional matters and it is difficult to handle an emotional manner in an unemotional fashion. But on the chance that I may get carried away in trying to maintain my cool, I'm having sent around to you a one sheet statement of what it is that I am attempting to do. The amount of money which is involved and the

May 22, 1981

LR 188
LB 179, 181, 252, 273, 273A, 303, 322,
346, 376, 381, 384, 389, 441, 451, 470, 472A
485, 497, 501, 543, 512, 552, 545, 553, 554.

Senator DeCamp. All those in favor vote aye. All those opposed vote nay. It takes 30 votes.

CLERK: Senator Clark voting no.

SENATOR CLARK: Have you all voted? Once more, have you all voted? Senator DeCamp.

SENATOR DeCAMP: How many are excused? Eleven?

SENATOR CLARK: Two.

SENATOR DeCAMP: Two? Okay, we still stand a shot, so I would ask for a Call of the House and take call in votes if that would be okay. But I would ask for a Call of the House first.

SENATOR CLARK: Call of the House has been requested. All those in favor of a Call of the House vote aye, opposed vote nay. Record the vote.

CLERK: 19 ayes, 3 nays to go under Call, Mr. President.

SENATOR CLARK: The House is under Call. All Senators will return to their seats, and if all Senators will check in, please. The Clerk would like to read some things while we are trying to get everyone registered in here.

CLERK: Mr. President, while we are recording our presence, I have a communique from the Governor addressed to the Clerk. Engrossed LBs 181, 252, 303, 381, 441, 451, 470, 485, 497, 543, 179, 346 and 384, 273, 273A, 501 and 545 were signed by me May 22 and delivered to the Secretary of State. Sincerely, Charles Thone, Governor.

Mr. President, I have an Attorney General's Opinion addressed to Senator Barrett on 376; one to Senator Hefner on 552. (See pages 2228 through 2233 of the Journal.)

Your Committee on Enrollment and Review respectfully reports they have carefully examined 406 and recommend that the same be placed on Select File with amendments; 551 Select File; 552, 553, 554 all on Select File with amendments. (See pages 2233 through 2234 of the Journal.)

Your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 322 and find the same correctly engrossed; 376, 389 and 512 all correctly engrossed.

Mr. President, new resolution, LR 188 by Senator Wagner.