

January 9, 1981

PRESIDENT: Will there be further discussion on LR 1. Senator Landis, you may close. No close, all right. The question before the House is the adoption of LR 1 found on page 82 of the Journal. All those in favor vote aye, opposed nay. Have you all voted? Have you all voted? Record the vote, Mr. Clerk.

CLERK: 30 ayes, 1 nay on adoption of the resolution, Mr. President.

PRESIDENT: The motion carries. The resolution, LR 1, is adopted. Anything further, Mr. Clerk, before we ...?

CLERK: Mr. President, yes, sir, I have a new resolution offered by Senators Goll and DeCamp. (Read LR 2 as found on pages 96-97 of the Legislative Journal.) Mr. President, pursuant to our rules, that resolution will be laid over.

PRESIDENT: We are ready then for the introduction of new bills. I would hope that all of you who have bills ready for introduction will get them up to the Clerk's desk so that we can expedite the reading in and introduction of new bills. Proceed, Mr. Clerk, with the reading of the new bills.

CLERK: Read LB 52-60 by title for the first time as found on pages 97-98.

Mr. President, if I could interrupt for just a moment, Senator Landis would like to have a meeting of the Urban Affairs Committee underneath the North balcony now for purposes of organizing, Urban Affairs Committee under the North balcony right now, Mr. President.

Read LB 61-65 by title for the first time as found on page 99 of the Legislative Journal.

Mr. President, Senator Lamb would like to have the Reference Committee of the Executive Board meet underneath the North balcony right now, that is Executive Board underneath the North balcony.

Read LB 66-67 as found on pages 99-100 of the Legislative Journal.

Mr. President, the Reference Committee would like to meet in the area where Senator Lamb is standing for purposes of referencing bills, Reference Committee over in the area where Senator Lamb is.

Read LB 68 by title for the first time as found on page 100 of the Legislative Journal.

February 17, 1981

LR 17, 13
LB 15, 16, 55, 76, 83, 92, 136,
144, 170, 185, 187, 199, 217,
238, 244, 354, 434, 457.

Your Committee on Revenue gives notice of public hearing in Room 1520 for March 9, 16 and 18. (See pages 546 and 547 of the Legislative Journal.)

Mr. President, Senator Maresh would like to have the Business and Labor Committee meet underneath the north balcony upon adjournment.

Mr. President, LB 15, 16, 92, 170, 185, 187, 199, 238 and 244 are ready for your signature.

PRESIDENT: While the Legislature is in session and capable of doing business, I propose to sign and I do sign LB 15, LB 16, LB 92, LB 170, LB 185, LB 187, LB 199, LB 238 and LB 244.

CLERK: Mr. President, your Committee on Urban Affairs whose Chairman is Senator Landis to whom was referred LB 434 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; 144 General File with amendments; 354 General File with amendments. (Signed) Senator Landis. (See pages 546 through 547 of the Legislative Journal.)

Your Committee on Judiciary whose Chairman is Senator Nichol to whom was referred LB 55 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; 76 General File with amendments; 83 General File with amendments. (Signed) Senator Nichol, Chair. (See pages 548 and 549 of the Legislative Journal.)

Your Committee on Miscellaneous Subjects whose Chairman is Senator Hefner to whom was referred LB 217 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; 136 General File with amendments; 457 General File. (Signed) Senator Hefner, Chair.

Mr. President, two new resolutions, LR 17 by Senator Hoagland. (Read LR 17 as found on page 550 of the Legislative Journal.) That will be laid over. Mr. President, LR 18 offered by Senator Wagner and others. (Read LR 18 as found on pages 551 and 552 of the Legislative Journal.) That too, Mr. President, will be laid over.

PRESIDENT: The Chair also has an announcement from Legislative Services Coordinator, Harlan Johnson, who reminds all of you that pictures will be taken of all

February 27, 1981

LB 354, 55

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: The bill is advanced. We now move to LB 55.

CLERK: Mr. President, LB 55. (Title read.) The bill was read on January 9. It was referred to Judiciary. It was advanced to General File. There are no amendments on the bill, Mr. President.

SPEAKER MARVEL: Senator Cullan.

SENATOR CULLAN: Mr. President, members of the Legislature, this is a very simple bill. It simply clarifies or amends the current state statute to allow retired judges as well as judges currently sitting on the bench to perform marriages. The proposal, I was not aware that a retired judge could not perform a marriage but that currently is the interpretation that has been given to the section on the authority of a judge to perform a marriage. The reason for the bill really is to allow these individuals to perform those marriages. Some individuals have informed me that they have difficulty finding judges who have the time to perform some of these marriages so maybe we can just look at this as a retirement bill or something, allow a judge to supplement his income or something, but seriously I do think there is no reason that a retired judge should not be able to perform marriages and it is a very simple proposal and I hope you would adopt it and advance it.

SPEAKER MARVEL: Senator Vickers.

SENATOR VICKERS: Yes, Mr. President, I wonder if Senator Cullan would respond to a question please.

SENATOR CULLAN: Yes, Senator Vickers.

SENATOR VICKERS: Senator Cullan, I was just sitting here wondering if perhaps you had some personal interest in this, that you were getting ready to do something the rest of the body didn't know about?

SENATOR CULLAN: Well, Senator Vickers, at this point in time, I certainly don't have any plans, and if I did, my mother would kill me if I didn't get married in the church, so...

SENATOR VICKERS: Thank you, Sam.

SPEAKER MARVEL: Any further discussion on LB 55? The motion is the advancement of the bill to E & R for review. All those in favor vote aye, opposed vote no. Have you all voted? Clerk, record the vote.

February 27, 1981

LB 55, 76

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

SPEAKER MARVEL: The motion is carried. The bill is advanced. Okay, the next item is LB 76.

CLERK: Mr. President, LB 76. (Title read.) The bill was read on January 9 of this year. It was referred to the Judiciary Committee for public hearing. It was advanced to General File. There are committee amendments pending, Mr. President, by the Judiciary Committee.

SPEAKER MARVEL: Senator Nichol.

SENATOR NICHOL: Mr. Chairman, Senator DeCamp would like to take his own amendments on his own bill.

SPEAKER MARVEL: Senator DeCamp.

SENATOR DeCAMP: Mr. President, members of the Legislature, the amendments are relatively simple, I guess they are simple if I find them. Let me start out by saying, as you know, the issue of police chases, citizen involvement, damage to the public, innocent people, whether there should or should not be chase policies, whether there should be chases even initiated, what the penalties should be has been somewhat of a controversial subject now for a couple of years and different philosophies, different approaches to the problem have been voiced by myself, for example. Senator Chambers has worked long and hard on the subject and tried to bring it to people's attention for a number of years. My approach, quite simply, as the amendments reflect, is to, first of all, strengthen the penalties and strengthen them in a way that is more than just the average bill, saying the fine is now two hundred instead of one hundred, strengthen them in a way that impacts upon the particular type of people who frequently flee. And as Senator Chambers or anybody else will testify, that very frequently is a young person. What is the most penalizing thing you can do to a young person? The most punishing thing you can do is say, "Look! You took your shot. You took your flight. Now we are taking your license and we are taking it for a substantial amount of time and you can't even touch the wheel of a car to drive." So one of the major parts of this penalty is to make a mandatory loss of license for two years when you flee. Even if it is a misdemeanor, you still mandatorily would lose your license. We also increased the penalty so that that young person, if the car is his and he has an equity in it, that he could actually have his car taken and sold. But it does no good

March 3, 1981

LB 5, 55, 76, 83, 128,
136, 144, 150, 217, 279,
354, 379, 457, 462

CLERK: Mr. President, Senator Kahle voting aye, Senator Wiitala voting aye, Senator Barrett voting aye.

SPEAKER MARVEL: Senator Goodrich, would you record your presence.

CLERK: Senator Vard Johnson voting aye.

SPEAKER MARVEL: Record the vote.

CLERK: 25 ayes, 13 nays on adoption of Senator DeCamp's amendment to the Beutler amendment, Mr. President.

SPEAKER MARVEL: The motion is carried. The amendment is adopted. Do we have other amendments? Senator Beutler.

SENATOR BEUTLER: (Mike not turned on.) ...now, I would move the amendment be adopted.

SPEAKER MARVEL: All those in favor of that motion vote aye, opposed vote no. Record.

CLERK: 28 ayes, 0 nays, Mr. President, on adoption of the Beutler amendment as amended.

SPEAKER MARVEL: The motion is carried. The amendment is adopted. The motion is the advancement of the bill to E & R for engrossment. A machine vote is requested. All those in favor of advancing the bill vote aye, opposed vote no. Record.

CLERK: 27 ayes, 13 nays, Mr. President, on the motion to advance.

SPEAKER MARVEL: The motion carried. The bill is advanced. Items on the Clerk's desk before we go to the next bill. I would suggest to you that in ten or fifteen minutes we will move into General File as per the agenda.

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined and reviewed LB 144 and recommend that same be placed on Select File with amendments; 354 Select File; 55 Select File 76 Select File with amendments; 83 Select File with amendments; 217 Select File; 457 Select File; 136 Select File; 128 Select File; 462 Select File with amendments; 279 Select File and LB 5 Select File with amendments. (Signed) Senator Kilgarin. (See pages 728-730 of the Legislative Journal.)

Mr. President, your committee on Public Health and Welfare whose chairman is Senator Cullan reports LB 379 to General

March 4, 1981

LB 55, 76, 354

SENATOR KILGARIN: I move LB 354 as amended be advanced to E & R for Engrossment.

SPEAKER MARVEL: All those in favor of the motion say aye. Opposed no. The motion carried. The bill is advanced. LB 55.

CLERK: Mr. President, I don't have E & R amendments. I do have an amendment from Senator Cullan. The amendment reads as follows: (Read the Cullan amendment as found on page 743 of the Legislative Journal.)

SENATOR CULLAN: Okay, Mr. President and members of the Legislature, the judges for the Workmens Compensation Court asked if they could be included in this particular bill. It is my understanding and Senator Nichol can correct me if I am wrong but it is understanding there is an Attorney General's Opinion that indicates that a judge for the Workmens Compensation Court cannot perform a marriage and so this simply would allow them to do that. I can see no logical reason to distinguish between the district judges, county judges and judges of the Workmens Compensation Court as far as this is concerned, so I simply offer that amendment.

SPEAKER MARVEL: All those in favor of the Cullan amendment to LB 55 vote aye, opposed vote no. Have you all voted? Senator Cullan. Have you all voted? Okay, Clerk, record the vote.

CLERK: 6 ayes, 15 nays, Mr. President, on the motion. I have nothing further on the bill, Mr. President.

SPEAKER MARVEL: Senator Kilgarin.

SENATOR KILGARIN: I move LB 55 be advanced to E & R for Engrossment.

SPEAKER MARVEL: All those in favor of that motion say aye. Opposed no. The motion carried, bill is advanced. LB 76.

CLERK: There are E & R, Senator.

SENATOR KILGARIN: I move the E & R amendments to LB 76.

SPEAKER MARVEL: 76? All those in favor of the adoption of the E & R amendments to LB 76 say aye. Opposed no. The motion is carried. The E & R amendment's adopted.

CLERK: Nothing further on the bill, Senator.

March 9, 1981

LB 55, 114, 128, 190, 198, 217, 246,
271, 279, 297, 327, 388, 434, 462,
407, 258

fellows walk around lobbying for this bill. They say, we hear you are against our bill, Rex, we are going to...we have some lobbyists working against you. They are sure are. They have been working their heads off this morning. I don't mind standing up here all alone, I have done it before, but I would like to have you fellows stop and think, we are only raising it from 6 to 8. They had a profit, a net profit of forty million in 1979. Thirty percent crosses the state. So I will ask for you to think down the road, raise it the two percent and then we will go from there. Thank you.

SPEAKER MARVEL: Motion is the Haberman amendment to legislative bill 190. All those in favor vote Aye, opposed vote No. Have you all voted? O.K. Record the vote.

CLERK: Eight Ayes. Fifteen Nays, Mr. President.

SPEAKER MARVEL: O.K. The motion lost. Now do you have some items to read in?

CLERK: Yes, sir.

SPEAKER MARVEL: While you are bringing them up, the Chairmen of the various committees have received a note this morning that we will meet tomorrow at 8:30a.m. in Room 2102. We need to start talking about priorities. If you will look at the sheet, you will find that this is the 39th day. Okay.

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 55 and find the same correctly engrossed; 114, 128, 217, 246, 279, 388, 434, 462, all correctly engrossed.

Mr. President, your Committee on Government reports LB 407 to General File. (Signed) Senator Kahle. LB 297 indefinitely postponed. Your Banking Committee whose Chairman is Senator DeCamp reports LB 271 to General File with amendments. (Signed) Senator DeCamp. (See page 809 of the Legislative Journal.) Miscellaneous Subjects Committee whose Chairman is Senator Hefner reports LB 258 to General File with amendments. (See pages 809 and 810 of the Legislative Journal.) (Signed) Senator Hefner. Your Banking Committee reports 327 to General File with amendments. (See page 810 of the Legislative Journal.)

Finally, Mr. President, Senator Warner would like to print amendments to LB 198 in the Legislative Journal. (See pages 810 through 815 of the Legislative Journal.)

SPEAKER MARVEL: Senator Peterson, will you adjourn us until 9:00 o'clock tomorrow morning. Howard Peterson.

March 12, 1981

LR 34
LB 55

SENATOR MARSH: Mr. Speaker and members of the Legislature, Elder William Lee is a resident of southeast Lincoln, has served his church well for 44 years and is retiring as the Secretary of the Mid America Conference of Seventh-day Adventist Churches. I urge my colleagues to support this resolution which will be given to the gentleman tomorrow evening when he is being honored.

SPEAKER MARVEL: The motion is the adoption of the resolution. All those in favor vote aye, opposed vote no. Have you all voted? Clerk, record the vote.

CLERK: 35 ayes, 0 nays on adoption of the resolution, Mr. President.

SPEAKER MARVEL: The motion is carried. The resolution is adopted.

CLERK: Mr. President, just one item. I have a notice from the Speaker regarding designation of priority bills by certain members and committees. (See pages 875 and 876 of the Legislative Journal.)

SPEAKER MARVEL: Okay, we are now ready to begin Final Reading. Will all legislators please return to your seats and unauthorized personnel please leave the floor. Underneath the north balcony Senator Rumery's grandson, Brian Phares of North Platte, is visiting today. Will you hold up your hand so we can see where you are? One more announcement before we proceed to Final Reading. This is....today is Senator Kilgarin's twentieth birthday anniversary, and at the proper time there will be cupcakes, and I am not sure on which side, maybe both sides. Anyway, we congratulate you on your twentieth birthday anniversary. Is today Senator Nichol's birthday? Twenty-first? Okay. Welcome to the Unicameral. The Chair recognizes Senator Nichol for a one minute speech.

SENATOR NICHOL: Mr. President and members of the Legislature, I didn't know until some time ago that Senator Kilgarin and I are twins. Now somebody said that we didn't look alike but if you will look closely, we really do. The only difference is I have lived a little rougher life than she has. Thank you.

SPEAKER MARVEL: Okay, the Clerk will read on Final Reading LB 55.

CLERK: (Read LB 55 on Final Reading).

March 12, 1981

LB 55, 114, 128, 217

SPEAKER MARVEL: All provisions of law having been complied with, the question is, shall the bill pass on Final Reading? Those in favor vote aye, opposed vote no. We are voting on Final Reading on LB 55. Clerk, record the vote.

CLERK: (Read the record vote as found on page 876 of the Legislative Journal.) 43 ayes, 0 nays, 4 excused and not voting, 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 114.

ASSISTANT CLERK: (Read LB 114 on Final Reading.)

SPEAKER MARVEL: All provisions of law subject to procedure having been complied with, the question is, shall the bill pass? Those in favor vote aye, opposed vote no. Have you all voted? Clerk, record the vote.

ASSISTANT CLERK: (Read the record vote as found on page 877 of the Legislative Journal.) The vote is 44 ayes, 0 nays, 3 excused and not voting, 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 128.

ASSISTANT CLERK: (Read LB 128 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. We are voting on LB 128 on Final Reading. Record the vote.

ASSISTANT CLERK: (Read the record vote as found on page 878 of the Legislative Journal.) The vote is 47 ayes, 0 nays, 2 excused and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. The Clerk will now read on Final Reading LB 217.

ASSISTANT CLERK: (Read LB 217 on Final Reading.)

SPEAKER MARVEL: All provisions of law subject to procedure having been complied with, the question is, shall the bill pass? Those in favor vote aye, opposed vote no. Record the vote.

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.

March 17, 1981

LR 21, 30
LB 24, 38, 51, 55, 83, 114, 128,
136, 150, 154, 195, 217, 246, 250,
272, 275, 279, 288, 302, 325, 354,
388, 409, 434, 444, 457, 462, 515

SPEAKER MARVEL PRESIDING

REVEREND RON WASIKOWSKI: (Prayer offered. Microphone not on. See page 951, Legislative Journal.)

SPEAKER MARVEL: Record your presence. Record.

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

SPEAKER MARVEL: Did you have any other items?

CLERK: Yes, sir, I do. Mr. President, first of all, the Journal is without error this morning.

Mr. President, a communication from the Governor addressed to the Clerk. (Read. Re: LBs 55, 83, 114, 128, 136, 150, 154, 195, 217, 246, 272, 275, 279, 288, 325, 354, 388, 409, 434, 457, 462, 24, 38, and 51. See pages 951 and 952, Legislative Journal.)

Mr. President, I have a series of Attorney General opinions. One to Senator DeCamp regarding the Executive Board and the powers thereof; one to Senator DeCamp regarding payment of salary; one to Senator Nichol regarding LB 515.

Mr. President, your committee on Government, Military and Veterans Affairs whose Chairman is Senator Kahle reports LB 250 to General File with amendments; LB 444 to General File with amendments. Signed Senator Kahle as Chair.

Your committee on Public Works whose Chairman is Senator Kremer reports LB 302 to General File with amendments and Public Works reports LR 21 back to the Legislature with amendments. Signed by Senator Kremer as Chair.

SPEAKER MARVEL: From Senator Barrett's District in the North balcony it is my privilege to introduce 19 senior high students from St. Ann's Catholic School, Lexington, Nebraska. Mr. Roger Lucas, Government teacher; Dr. Phillip Vreeland, English teacher. Will you hold up your hand so we can see where you are and greet you? Okay, we will go to item #4.

CLERK: Mr. President, the first resolution is offered by Senator Dworak. It is LR 28. It is found on page 737 of the Journal.

Mr. President, while Senator Dworak is missing, LR 30 by Senator Vickers. It is found on page 787. (Read.) That resolution, Mr. President, is found on page 787 of the Journal.