

January 6, 1982

title). LB 585 offered by Senator Warner. (Read title). LB 586 offered by Senator Wagner. (Read title). LB 587 offered by Senators Kremer, DeCamp, Wagner, Cope and Lamb. (Read title). LB 588 offered by Senator Wagner. (Read title). LB 589 offered by the Banking Committee and signed by its members. (Read title). LB 590 offered by Senators Kilgarin and Beutler. (Read title). LB 591 offered by Senator Landis. (Read title). LB 592 offered by Senator Lamb. (Read title). LB 593 offered by Senators Remmers and Richard Peterson. (Read title). LB 594 offered by Senator Landis. (Read title). LB 595 offered by Senator Fowler. (Read title). LB 596 offered by Senator Nichol. (Read title). LB 597 offered by Senator Nichol. (Read title). LB 598 offered by Senator Nichol. (Read title). LB 599 by Senator Nichol. (Read title). LB 600 by Senator Nichol. (Read title). LB 601 offered by Senator Nichol. (Read title). LB 602 offered by Senator Cullan. (Read title). LB 603 by Senator Cullan. (Read title). LB 604 offered by Senators Cope, Rumery and Fowler. (Read title). LB 605 offered by Senator Koch. (Read title). LB 606 offered by Senator Kremer. (Read title). LB 607 offered by Senator Howard Peterson. (Read title). LB 608 offered by Senator Howard Peterson. (Read title). LB 609 by Senator Marsh. (Read title). LB 610 introduced by Senator Howard Peterson and Senator Heffner. (Read title). LB 611 offered by Senator Kahle. (Read title). LB 612 offered by Senator Pirsch. (Read title). LB 613 offered by Senator Pirsch. (Read title). LB 614 offered by Senator Fowler. (Read title). LB 615 offered by Senator Burrows. (Read title). LB 616 offered by Senator Fenger. (Read title). LB 617 offered by Senator Stoney. (Read title). (See pages 77-88 of the Journal).

Mr. President, I have two new A bills, LB 404A offered by Senator Fowler. (Read title). And LB 604A offered by Senators Cope, Rumery and Fowler. (Read title). (See page 88 of the Journal).

Mr. President, I have a series of items to read into the record. Senator Koch would like to be excused January 7 and 8.

Mr. President, Senator Fowler would like to print amendments to....I am sorry, Senator Pirsch would like to print amendments to LB 465. (See pages 89 through 91 of the Legislative Journal). Senator Fowler to print amendments to LB 458. (See pages 91 through 93 of the Journal). Senator Rumery would like to print amendments to LB 287. (See pages 93 through 94 of the Journal). Senator Newell would like to print amendments to LB 131. (See page 95 of the Journal).

January 25, 1982

LB 69, 560, 589, 598,
646, 654, 865

by Senator Kilgarin as Chair.

Mr. President, your committee on Banking, Commerce and Insurance whose chairman is Senator DeCamp to whom is referred LB 589 instructs me to report the same back to the Legislature with the recommendation that it be advanced to General File, 598 to General File, 646 to General File and 654 to General File...I'm sorry, 646, and Education reports LB 654 to General File. Those are signed by their respective chairmen, Mr. President.

Mr. President, Judiciary gives notice of cancellation of hearing for Wednesday, February 3 and I have received two reports, one from the University of Nebraska pursuant to LB 560 passed last session, a report from the Upper Big Blue Natural Resources District regarding payment of attorneys fees and, Mr. President, Senator Marsh would like to print amendments to LB 69 in the Legislative Journal. (See pages 395-397 of the Legislative Journal.)

Mr. President, I have a unanimous consent request from Senator DeCamp asking that the Banking, Commerce and Insurance Committee hold their hearings in Room 1113 tomorrow and Judiciary Committee would hold their public hearings in Room 2230, just switching hearing rooms.

PRESIDENT: Any objection? Hearing none, so ordered. We are ready then for agenda item #4, Motions. The first motion on gubernatorial appointments from the Agriculture Committee. Senator Wagner, will you handle the motion. The Chair recognizes Senator Wagner.

SENATOR WAGNER: Mr. Speaker and members, the Agriculture Committee held their confirmation hearings on Friday, the 15th and the three people we confirmed were Homer Loutzenheiser for the Environmental Control Council, All Wood for the Environmental Control Council and Donald Larson for the Nebraska Gasohol Committee. The committee acted favorable on these nominations. It is our recommendation that the Legislature approve of them.

PRESIDENT: Any discussion as to the motion of the Agriculture Committee? Hearing none, the question is the approval of the gubernatorial appointments for the Agriculture and Environment Committee. All those in favor vote aye, opposed nay. Record the vote.

CLERK: 28 ayes, 0 nays, Mr. President, on approval of the report. (See vote on page 397 of the Legislative Journal.)

PRESIDENT: Motion carries. The report is approved. The next motion concerns LB 865, a motion to withdraw. Is Senator Goodrich here? Would someone make the motion for

February 1, 1982

LB 435, 589, 604, 604A, 882

CLERK: Mr. President, your committee on Appropriations whose Chairman is Senator Warner to whom was referred LB 604 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File and 604A advanced to General File with committee amendments attached. (See page 492 of the Journal).

Your committee on Enrollment and Review respectfully reports that LB 435 is advanced to Select File with E & R amendments attached. (See pages 493 and 494 of the Legislative Journal).

Mr. President, Senators Chronister and Higgins ask unanimous consent to add their name to LB 882 as co-introducer.

PRESIDENT: Any objections? If not, so ordered. Ready then for the next bill on General File, Special Order by the Speaker, LB 589, Mr. Clerk.

CLERK: Mr. President, LB 589 offered by the Banking Committee and signed by its members. (Read title). The bill was read on January 6 of this year. It was referred to the Banking Committee for public hearing. The bill was advanced to General File, Mr. President.

PRESIDENT: The Chair recognizes Senator DeCamp.

SENATOR DeCAMP: Mr. President and members of the Legislature, last year the Legislature completely rewrote the limited partnership laws. The last time it had been done was 1916. When we did it, taking the advice...and I am not going to take the blame, taking the advice of some professors from different universities, we left out some things that had been put in in 1971 and '77. They were technical things and, quite frankly, quite minor, but they screwed up the operation of a couple of limited partnerships that were in existence and so we are re-instating that language and that is what this amounts to. It is a technical correction of the thing we left out last year and it is agreed to by everybody. The people that drafted the new law, the uniform law, agreed that these probably should have been left in, so what they have to do with, keeping records, for example, you don't have to keep physical records in the State of Nebraska if the limited partnership base is outside of the state, some things like that. I would move advancement.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Senator Landis.

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LB 589, 212A

SENATOR LANDIS: I just want to say that in reviewing the legislation this is a fine and timely piece of legislation that has to move quickly to solve a technical difficulty that was created by passage of the limited partnership act.

SPEAKER MARVEL: Any further discussion? The motion is to advance 589. All those in favor of that motion vote aye, opposed vote no. Have you all voted? Clerk, record the vote.

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

SPEAKER MARVEL: The motion carried. The bill is advanced. Pending the return of Senator Fowler, we will proceed now with LB 212A, and when he comes in then we will revert back to his bill. LB 212A.

CLERK: Mr. President, LB 212A offered by Senator Johnson. (Read title). Mr. President, I do have an amendment from Senator Johnson on the bill.

SPEAKER MARVEL: The Chair recognizes Senator Vard Johnson for his amendment.

SENATOR V. JOHNSON: Mr. Speaker and members of the body, LB 212A is the funding bill for 212. 212 has been advanced from General to Select File. 212 is a legislative bill that would establish a statewide cancer registry and reporting system. During the debate on LB 212 I indicated that the fiscal analyst had anticipated a cost for the statewide cancer registry reporting system of \$62,700. Now I have an amendment to 212A which our fiscal analyst gave to me after this body adopted new Rule 8, Section 5. As you may recall, those of you who have A bills, that rule requires us to show the funding not just for one year under the A bill but for two years under the A bill. So what this amendment to LB 212A does is it says that the cost in the first year will be as in the original A bill, \$62,700, and in the second year will be \$72,000. I would move that 212A be amended.

SPEAKER MARVEL: Okay, the motion first of all is the adoption of the Vard Johnson amendment to 212A. Is there any further discussion? All those in favor of adopting the amendment as explained vote aye, opposed vote no. Have you all voted? The motion is the adoption of the amendment to 212A. Have you all voted? Have you all voted? Record.

February 3, 1982

LB 115, 115A, 139, 139A, 212A,
LB 450, 576, 583, 588, 589,
LB 413, 631, 634, 670, 672,
LB 706, 735, 851

CLERK: (Read LB 413 on Final Reading.)

SENATOR CLARK: All provisions of law according to procedure having been complied with, the question is, shall the bill pass? All those in favor vote aye, opposed vote nay.

CLERK: Senator Clark voting yes.

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

CLERK: (Record vote read. See pages 529 and 530, Legislative Journal.) 20 ayes, 27 nays, 2 present and not voting, Mr. President.

SENATOR CLARK: The bill having not received the required number of votes has failed to pass on Final Reading. We will now to to item #5, General File. Does the Clerk have anything to read in?

CLERK: Mr. President, your committee on Public Works whose Chairman is Senator Kremer to whom we referred LB 670 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; and LB 851 advanced to General File, both signed by Senator Kremer.

Your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 139 and find the same correctly engrossed; 139A correctly engrossed; and 450 correct engrossed. (Signed) Senator Kilgarin.

Your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 631 and recommend the same be placed on Select File with amendments; 589 Select File; 212A Select File with amendments; 115 Select File with amendments; 115A Select File with amendments, all signed by Senator Kilgarin.

Your committee on Constitutional Revision and Recreation whose Chairman is Senator Labeledz to whom we referred LB 576 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; 583 General File with amendments; 588 General File with amendments; 634 General File with amendments; 672 General File with amendments; 706 General File with amendments; and 735 indefinitely postponed, all signed by Senator Labeledz as Chair.

Mr. President, your committee on Ag and Environment will have an exec session at eight forty-five on Thursday, February 4 in Room 1105, Senator Schmit's office. That is an exec session of the Ag and Environment Committee tomorrow morning at eight forty-five in Senator Schmit's office.

February 5, 1982

LB 115, 115A, 440, 589

we go down to 589, Pat? Okay, Senator Kilgarin.

SENATOR KILGARIN: I move the advance of LB 589.

SPEAKER MARVEL: You've heard the motion. All those in favor of that motion say aye, opposed no. The motion is carried. The bill is advanced. The next item, 115, Senator Kilgarin.

SENATOR KILGARIN: I move the E & R amendment to LB 115.

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

SENATOR KILGARIN: I move we advance LB 115.

SPEAKER MARVEL: The motion is the advancement of the bill. A machine vote is requested. All those in favor of advancing the bill vote aye, opposed vote no. Have you all voted? The motion before the House is the advancement of the bill, 115. Record the vote.

CLERK: 25 ayes, 13 nays, Mr. President, on the motion to advance the bill.

SPEAKER MARVEL: The motion is carried. The bill is advanced. The next bill, 115A.

SENATOR KILGARIN: I move the E & R amendment to LB 115A.

SPEAKER MARVEL: The motion is the adoption of the E & R amendments to LB 115A. All those in favor of that motion say aye, opposed no. The motion is carried.

SENATOR KILGARIN: I move we advance LB 115A.

SPEAKER MARVEL: You've heard the motion. All those in favor of advancing the bill say aye, opposed no. The motion is carried. The bill is advanced. The next bill, LB 440. Okay, E & R amendments, Senator Kilgarin.

SENATOR KILGARIN: I move the E & R amendments to LB 440.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. The motion is carried. The E & R amendment is adopted. Now on the advancement of the bill there is a machine vote requested. All those in favor of advancing 440 vote aye, opposed vote no. Have you all voted? Once more, have you all voted? Senator Kilgarin, what is your pleasure? Okay, record the vote.

February 9, 1982

LB 237, 255, 274, 402, 525,
589, 598, 646, 649, 802,
828, 832

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Prayer by the Reverend Donald Nunnally, Pastor of Calvary United Methodist Church of Lincoln.

REVEREND NUNNALLY: Prayer offered.

SENATOR CLARK PRESIDING

SENATOR CLARK: Have you all recorded your presence? Have you all recorded your presence? The Clerk will record.

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

SENATOR CLARK: Are there any messages, reports or announcements?

CLERK: Mr. President, I have an Attorney General's Opinion addressed to Senator DeCamp regarding a proposed rule and regulation by the Political Accountability and Disclosure Commission. That will be inserted in the Journal. (See pages 597-600 of the Journal).

Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 255 and find the same correctly engrossed; 274, 402, 525, 589, 598, 646 and 649 all correctly engrossed. That is signed by Senator Kilgarin as Chairman. (See pages 600 and 601 of the Journal).

Mr. President, I have a request from Senator Lamb to print resolutions from Chadron State College in the Legislative Journal for ultimate legislative approval. (See pages 601 and 602 of the Journal).

Mr. President, your committee on Public Health and Welfare whose Chairman is Senator Cullan instructs me to report LB 832 advanced to General File with committee amendments attached; 802 indefinitely postponed; and 828 advanced to General File. All signed by Senator Cullan as Chair. (See page 603 of the Legislative Journal).

SENATOR CLARK: We are ready for #4, motions, LB 237 by Senator Wesely to withdraw a bill. Senator Wesely.

SENATOR WESELY: Mr. President and members of the Legislature, the question before the House is the life and death of LB 237, a bill which has served the state well in its brief life. This bill attempts to deal with a very

United States in the fashion that we seem to be attempting to ignore it with this bill is beyond me, and how a bill of this nature can get out of the Judiciary Committee with six votes is also beyond me. I certainly understand how it got clear over to Final Reading with the way we operate in this body, however, where speeding expediency seems to be the method that we try to use. So I certainly would urge the members of this body to support Senator Chambers motion and do away with this piece of legislation.

SPEAKER MARVEL: Senator Fowler. Senator Sieck.

SENATOR SIECK: I do need some more information but I do feel that I was trying to follow the federal jurisdiction, Mr. President, and was trying to define the transactional immunity with the actual testimony or verbal immunity and I feel it was following the federal guidelines. But for this reason in order for me to get more information I am going to ask for this to be passed over at this time.

SPEAKER MARVEL: I am sorry. I didn't get your request.

SENATOR SIECK: For it to be passed over until I get more information on this particular issue, if we can do it. I don't know whether we can do it.

SPEAKER MARVEL: Technically we are operating on a motion to return unless Senator Chambers wants to agree otherwise.

SENATOR CHAMBERS: Mr. Chairman, I am not opposed to giving Senator Sieck time to get more information. So the issue has been raised and I think people are alerted so I won't object to his holding it over if that is what he desires to do.

SPEAKER MARVEL: Is the request to lay over the bill? Then it goes to the bottom of the lay over file. Is that your...okay. What is the next item? Senator Vard Johnson. We are still on Final Reading and the bill now is LB 589 and the Clerk will read.

CLERK: (Read LB 589 on Final Reading.)

SPEAKER MARVEL: All provisions of law relative 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.

CLERK: (Record vote read. See page 777, Legislative Journal.) 47 ayes, 0 nays, 1 excused and not voting, 1 present and not voting, Mr. President.

February 19, 1982

LB 589, 598, 614, 693, 741, 753,
757, 760, 821, 899, 908, 939

SPEAKER MARVEL: The bill is declared passed on Final Reading.

CLERK: Mr. President, if I may, I have a report from the Banking Committee on a gubernatorial appointment confirmation hearing.

Mr. President, I have explanation of votes from Senator Marvel and Senator Carsten.

Mr. President, your committee on Revenue whose Chairman is Senator Carsten instructs me to report LB 757 advanced to General File; 693 General File with committee amendments attached; 753 General File with committee amendments attached; 760 General File with committee amendments attached; 614 indefinitely postponed; 741 indefinitely postponed, all signed by Senator Carsten as Chairman.

Your committee on Urban Affairs whose Chairman is Senator Landis instructs me to report LB 899 indefinitely postponed; 939 indefinitely postponed; 821 indefinitely postponed; and 908 indefinitely postponed, all signed by Senator Landis as Chair.

SPEAKER MARVEL: Underneath the South balcony it is my privilege to introduce the daughter and son-in-law of Harry Chronister, Senator Chronister and the two people are Mike and Janet Casuscelli. Would you please indicate where you are so we can wish you "Good morning". And underneath the South balcony is a guest of Senator Barrett, Mr. Dale Kugler of Lexington representing the Northeast Stockgrowers Association. The next bill on Final Reading is LB 598.

CLERK: Mr. President, Senator Koch would move to return LB 598 to Select File for specific amendment, that amendment being to strike the enacting clause.

SPEAKER MARVEL: Senator Koch.

SENATOR KOCH: Thank you, Mr. Speaker, members of the body, occasionally there are certain kinds of bills that move across the Board with considerable ease and fortunately there was enough debate this morning I had a chance to look at what LB 598 intends to do. It appears to be rather innocent but I want to give you the history. Last year you will recall Senator DeCamp, Senator Wesely had a bill in here on weatherization and increasing the severance tax on oil and gas and that bill would have made everyone eligible for weatherization and grants including

February 19, 1982

LB 131, 274, 274A, 287,
314, 402, 440, 454,
589, 646, 649, 904

SPEAKER MARVEL: While the Legislature is in session and capable of transacting business, I am about to sign and do sign LB 131, LB 274, LB 274A, LB 287, LB 314, LB 402, LB 440, LB 454, LB 589. The next order of business is Final Reading on LB 646.

CLERK: (Read LB 646 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 646. Have you all voted? This is voting on Final Reading, LB 646. Have you all voted? Record the vote.

CLERK: (Record vote read. See page 786, Legislative Journal.) 46 ayes, 1 nay, 1 present and not voting, 1 excused and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. Next bill, LB 649.

CLERK: (Read LB 649 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 649 on Final Reading. Record the vote.

CLERK: (Record vote read. See page 787, Legislative Journal.) 45 ayes, 1 nay, 2 present and not voting, 1 excused and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading.

CLERK: Mr. President, Senator Cullan would like to have an executive session of the Public Health and Welfare Committee Monday morning at nine o'clock in Room 1019. That is Public Health and Welfare Monday morning, nine o'clock in Room 1019.

Urban Affairs instructs me to report LB 904 indefinitely postponed. That is signed by Senator Landis as Chairman.

SENATOR CLARK PRESIDING

SENATOR CLARK: Senator Beyer, would you like to adjourn us until Monday morning at nine-thirty.

SENATOR BEYER: Mr. Speaker, I move that we be adjourned until Monday morning at nine-thirty.

LR 211, 224
LB 131, 192, 198, 211, 224, 231,
239, 263, 270, 274, 274A, 287,
314, 402, 440, 448, 450, 454,
465, 511, 547, 589, 592, 634,
646, 649, 669A, 672, 827

February 22, 1982

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: The prayer will be delivered by the Reverend Palmer.

REVEREND PALMER: Prayer offered.

SPEAKER MARVEL: Record your presence, please. While we are waiting for a quorum, underneath the South balcony from Scottsbluff, Nebraska, Audrey Towater is the guest of Senator Nichol. She is the one that has that large object there she is working on. I suggest that at your convenience you take a look at it. It is very interesting. Record, Mr. Clerk.

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

SPEAKER MARVEL: The Clerk has got some items to read into the Journal.

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined and reviewed LB 634 and recommend that same be placed on Select File with amendments; 672 Select File with amendments and LB 827 Select File and 669A Select File, all signed by Senator Kilgarin. (See pages 790-791 of the Journal.)

Your Enrolling Clerk respectfully reports that she has presented to the Governor on February 19 at two-fifty, bills passed on Final Reading that day. (Re: LB 131, 274, 274A, 287, 314, 402, 440, 454 and 589.)

Mr. President, I have communications from the Governor. The first is addressed to the Clerk. (Read communication re: LB 239 as found on page 791 of the Legislative Journal.) The second communication is addressed to the Clerk. (Read re: LB 192, 198, 231, 263, 270, 448, 450, 465, 511, 592, 131, 274, 274A, 287, 314, 402, 454 and 589.)

Mr. President, your committee on Urban Affairs whose chairman is Senator Landis reports LB 904 as indefinitely postponed. That is signed by Senator Landis as Chair.

Senator Schmit would like to print amendments to LB 547 in the Legislative Journal. (See page 792 of the Journal.)

Mr. President, LR 211, 224 and LB 646 and 649 are ready for your signatures.

SPEAKER MARVEL: While the Legislature is in session and capable of transacting business I am about to sign and do sign LR 211, LR 224, engrossed LB 646, LB 649. (See page