

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 26, 1982

LB 274, 606, 829, 198

whose Chairman is Senator Cullan, reports LB 606 to General File and LB 829 to General File, both signed by Senator Cullan as Chair.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Senator Kahle.

SENATOR KAHLE: Mr. Speaker.....

SPEAKER MARVEL: 198.

SENATOR KAHLE: Senator Warner had indicated the other day that he had an amendment for 198, and his office called this morning, he is not here, of course, today, and he wants to rewrite that amendment, so I ask that we pass over 198 for the present time.

SPEAKER MARVEL: Any objections? This goes to the passover file. Okay, next, LB 274.

CLERK: Mr. President, there are E & R amendments on 274.

SPEAKER MARVEL: We are adopting E & R amendments to 274. The Chair recognizes Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman, I move that the E & R amendments to LB 274 be adopted.

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

CLERK: Mr. President, I now have an amendment offered by Senator Sieck that is found on page 392 of the Legislative Journal.

SPEAKER MARVEL: The Chair recognizes Senator Sieck.

SENATOR SIECK: Mr. President and members of the body, I do have an amendment here but Senator Remmers also has an amendment on the same subject and I feel his amendment covers the issue better than the one that I submitted, so I will ask that mine be withdrawn and that we consider Senator Remmers' amendment.

SPEAKER MARVEL: Okay, hearing no objections, so ordered. The amendment is withdrawn.

CLERK: Mr. President, Senator Remmers would now move

February 8, 1982

LB 623, 606

well, just about everybody and I think we are within a hair-breadth of coming up with a settlement on the whole bill, one that would be acceptable and try some of the concepts of the bill. So I would ask to pass over until that amendment can be brought up here and everybody in the body can be contacted and that way we won't spend four or five hours. It will either have the votes or it won't. It will either be agreed upon or it won't.

SENATOR CLARK: Will that be brought up this morning?

SENATOR CLARK: I don't know if they can get it ready this morning. It is kind of up to the bill drafter. Why don't we wait until tomorrow?

SENATOR CLARK: All right, we will pass over the bill. LB 606.

CLERK: Mr. President, LB 606 (read title). The bill was read on January 6 of this year, referred to the Public Health and Welfare Committee for hearing. The bill was advanced to General File, Mr. President. I have no amendments on the bill.

SENATOR CLARK: Senator Kremer.

SENATOR KREMER: Mr. Chairman, LB 606 is quite a simple bill. Several years ago we passed legislation to allow the sale of funeral arrangements and services prior to the death of a person and those monies derived thereby were to be put into a trust fund and it was quite uncertain if or not these trust funds could be audited by the Department of Health so it is simply saying all this bill does is it provides for an audit to clear up the question whether or not they have the right to audit these trust funds, and they should be. If the word in there is "may", that they "shall", it does give the right if there is a challenge of any kind or there is a question, it will allow the Department of Health to audit these trust funds. I move that the bill be advanced to E & R Initial.

SENATOR CLARK: Senator Rumery.

SENATOR RUMERY: Mr. President, members of the Legislature, I would like to ask Senator Kremer a question or two.

SENATOR CLARK: Senator Kremer, will you yield?

SENATOR KREMER: Yes, sir.

SENATOR RUMERY: Why is it that you have suggested that the Department of Health do this auditing? I would assume the State Auditor ought to do that, is this correct?

SENATOR KREMER: The bill was brought to me by the funeral directors, and since the jurisdiction of these trust funds is under the Department of Health, it is thought it is just feasible that they be given that authority rather than the Auditor.

SENATOR RUMERY: Thank you.

SENATOR CLARK: Is there any further debate? Any further closing?

SENATOR KREMER: No closing.

SENATOR CLARK: The question before the House is the advancement of 606. All those in favor vote aye, opposed vote nay.

CLERK: Senator Clark voting yes.

SENATOR CLARK: Record the vote.

CLERK: 28 ayes, 0 nays, Mr. President, on the motion to advance the bill.

SENATOR CLARK: The bill is advanced. The next bill is 579.

CLERK: Mr. President, LB 579 (read title). The bill was read on January 6 of this year, referred to Public Works Committee for hearing. The bill was advanced to General File, Mr. President. There are committee amendments by the Public Works Committee.

SENATOR CLARK: Senator Kremer on the Public Works Committee amendments.

SENATOR KREMER: Yes, I will attempt to explain the amendment. The way the bill was written there was a question as to where the money should go to the entire assessment for the prestige license plates and the amendment clears that up and it says the regular registration fee shall continue to go to the county, but the fifty dollars for the prestige plate shall go to the Department. I move the adoption of the amendment.

SENATOR CLARK: Any discussion on the amendments? If not, all those in favor vote aye, opposed vote nay.

February 10, 1982

LB 264, 309, 347, 403, 418, 542
563-66, 572, 579, 642, 659, 677
703, 705, 718, 719, 722, 724,
764, 774, 778, 779, 797, 852,
879, 606, 32, 229, 490, 492

SPEAKER MARVEL PRESIDING

RABBI BISMAN: Prayer offered.

SPEAKER MARVEL: Item #2, roll call. Please record your presence. Record your presence. Pat, do you want to record.

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

SPEAKER MARVEL: Do you have anything under #3?

CLERK: Mr. President, I have several items. First of all I have a reference report referring LR 218 to the Banking Committee for public hearing.

Mr. President, a communication from the Governor addressed to the Clerk. (Read communication re: 264, 309, 347, 403, 418, 563, 564, 565, 566 and 572 as found on page 613 of the Legislative Journal.)

A second communication. (Read re. LB 542.) And a third, Mr. President, from the Governor addressed to the Clerk. (Read re. 32, 229, 490 and 492. See pages 613-614 of the Legislative Journal.)

Mr. President, your committee on Education whose chairman is Senator Koch reports LB 642 advanced to General File; LB 774 advanced to General File; LB 797 advanced to General File with amendments. Those are signed by Senator Koch.

Your committee on Public Works whose chairman is Senator Kremer offers a corrected statement to LB 852. (See pages 614-615 of the Legislative Journal.)

Mr. President, your committee on Government, Military and Veterans Affairs whose chairman is Senator Kahle reports LB 879 advance to General File with committee amendments attached. That is signed by Senator Kahle. (See page 615 of the Legislative Journal.)

Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined and reviewed LB 606 and recommend that same be placed on Select File; 579 Select File; 703 Select File with amendments; 705 Select File; 718 Select File; 719 Select File; 724 Select File; 677 Select File; 722 Select File with amendments; 659 Select File; 764 Select File with amendments and 778 Select File with amendments and 779 Select File with amendments, all signed by Senator Kilgarin as Chair. (See pages 615-616 of the Legislative Journal.)

March 4, 1982

LB 579, 606, 703, 829

SENATOR CLARK: You have heard the motion. All those in favor say aye. Opposed. The E & R amendments are adopted. Anything further on the bill?

ASSISTANT CLERK: Nothing further, Mr. President.

SENATOR CLARK: Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 829.

SENATOR CLARK: The motion is to advance LB 829. All those in favor say aye. Opposed. The bill is advanced. LB 606.

ASSISTANT CLERK: Mr. President, I have no E & R amendments and I have nothing on the bill.

SENATOR CLARK: Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 606.

SENATOR CLARK: You heard the motion. All those in favor say aye. Opposed. The bill is advanced. LB 579.

ASSISTANT CLERK: Mr. President, I have no E & R amendments. I do have an amendment from Senator Koch. That amendment is to add the emergency clause.

SENATOR CLARK: Senator Koch. The motion before the House is to add the emergency clause. All those in favor vote aye, opposed vote nay.

ASSISTANT CLERK: Senator Clark voting yes.

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

ASSISTANT CLERK: 29 ayes, 0 nays on the adoption of the Koch amendment, Mr. President.

SENATOR CLARK: The amendment is adopted. Senator Kilgarin on the advancement of the bill.

SENATOR KILGARIN: I move we advance LB 579.

SENATOR CLARK: You have heard the motion. All those in favor say aye. Opposed. The bill is advanced. LB 703.

ASSISTANT CLERK: Mr. President, there are E & R amendments.

SENATOR CLARK: Senator Kilgarin.

March 10, 1982

LB 127, 127A, 421, 606, 630,
654, 692, 703, 801, 824, 829

PRESIDENT LUEDTKE PRESIDING

REV. JOHN MINERT: Prayer offered.

PRESIDENT: Roll call. Has everyone registered your presence now? Record the presence, Mr. Clerk.

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 then. Any other messages, reports or announcements?

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 127 and find the same correctly engrossed; 127A, 606, 630, 654, 692, 703, 801 and 829 all correctly engrossed. Those are signed by Senator Kilgarin as Chair.

Mr. President, your committee on Public Works whose chairman is Senator Kremer reports LB 824 as indefinitely postponed. That is signed by Senator Kremer.

PRESIDENT: We'll start with the agenda then on agenda item... we're going to reverse the items #4 and #6 according to Speaker Marvel and we'll start with agenda #6, motions, LB 421, Mr. Clerk.

CLERK: Mr. President, Senator DeCamp would move to reconsider the vote on Final Reading of LB 421. Senator DeCamp offered his motion on March 3. It can be found on page 941 of the Legislative Journal.

PRESIDENT: The Chair recognizes Senator DeCamp.

SENATOR DeCAMP: Mr. President, people in this body are very concerned about health costs. Any time there is fraud or payment of a claim that is improper that costs everybody, whether it is for a drug abuse situation, whether it's for error through payment that shouldn't have been made, it costs everybody, not the insurance company, we all pay for it. This bill is designed to try to correct that particular problem in Nebraska. There were some reservations by some members, Senator Landis and some of the attorneys that there was some language that wasn't clear enough. Maybe that's the reason the bill failed, maybe the fact that several members were absent that day, whatever. I would

March 17, 1982

LB 606, 630, 654

ASSISTANT CLERK: Read LB 606.

SENATOR CLARK: All provisions of law relative to procedure having been complied with, the question is, shall the bill pass. All those in favor vote aye, opposed vote no.

ASSISTANT CLERK: Senator Clark voting yes.

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

ASSISTANT CLERK: 44 ayes, 0 nays, 4 excused and not voting, 1 present and not voting. Vote appears on page 1218 of the Legislative Journal.

SENATOR CLARK: The bill is declared passed on Final Reading. I'd like to introduce eleven seniors from Lexington, St. Anne's School in Lexington, Nebraska, Senator Barrett's district. They are in the north balcony. The teacher is Roger Lucas. Will you stand and be recognized please. Welcome to the Unicameral. I'd like to explain to you we are on Final Reading at the present time. The Constitution requires that we read every bill in their entirety. It is very boring to you, I'm sure, but if you stick around, later you will get more action. The Clerk will now read 630 with the emergency clause.

ASSISTANT CLERK: Read LB 630.

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

ASSISTANT CLERK: Senator Clark voting yes.

SENATOR CLARK: Record the vote.

ASSISTANT CLERK: 43 ayes, 1 nay, 4 excused and not voting, 1 present and not voting. Vote appears on pages 1218-19 of the Legislative Journal.

SENATOR CLARK: The bill is declared passed with the emergency clause attached on Final Reading. The Clerk will now read 654.

ASSISTANT CLERK: Mr. President, I have a motion on the desk from Senator Lamb, but I understand he wishes to withdraw that.

SENATOR CLARK: All right, it is withdrawn.

ASSISTANT CLERK: Read LB 654.

March 18, 1982

LR 243
LB 202, 267, 449, 579, 606, 628, 630,
654, 662, 692, 702-703, 717-719,
728-729, 778, 801, 829, 852

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by LeRoy Hofker, Treasurer of Gideons International, the bible distribution society, from Lincoln, Nebraska.

LeROY HOFKER: (Prayer offered).

PRESIDENT: Roll call. Have you all registered your presence so we can get underway? Senators Wagner and Fowler, if you would go over there to the desk and push that button, we could get underway. Senator Higgins, if you will push that button, I will show you are here. Okay, have you all registered your presence? Record the presence, Mr. Clerk.

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 this morning, Mr. President.

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

CLERK: Mr. President, LBs 267, 702, 717, 449, 579, 662, 718, 719, 728, 729, 778, 606, 630, 801, 703, 692, 654, and 829 are ready for your signature; as is LR 243.

PRESIDENT: While the Legislature is in session and capable of doing business, I propose to sign and I do sign LB 267, 702, 449, 579, 662, 718, 719, 728, 729, 778, 606, 630, 654, 692, 703, 801, and 829.

CLERK: Mr. President, Senator Wagner would like to print amendments to LB...I am sorry, Senator Wesely, to print amendments to LB 852.

And Senator Chambers would move to reconsider the vote to indefinitely postpone LB 202. That will be laid over.

PRESIDENT: Okay, so ordered. We are ready then for Final Reading. The Sergeant at Arms will secure the Chamber, all members will return to your desks, and all other people will leave the floor of the Legislature. We are ready for Final Reading. All right, Mr. Clerk, I guess we are all in place so let's proceed with the reading of LR 628 on Final Reading.

CLERK: (Reading of LB 628 on Final Reading.)

LB 69, 267, 359, 435, 449, 579, 606, 628,
630, 654, 662, 692, 702, 703, 717, 718,
719, 722, 728, 729, 778, 782, 801, 829

March 22, 1982

PRESIDENT: The amendment is adopted. We are going to stop now and recess until 1:30 and then we will come right back onto this bill. Senator Nichol, would you like to recess us until 1:30. We have one communication to read in.

CLERK: Mr. President, engrossed LBs 267, 359, 435, 449, 579, 606, 628, 630, 654, 662, 692, 702, 703, 717, 718, 719, 722, 728, 729, 778, 782, 801, 829 and 69 were signed by the Governor on March 19 and delivered to the Secretary of State.

SENATOR NICHOL: Mr. Chairman, I move we recess until 1:30 this afternoon.

SENATOR CLARK: You have heard the motion. All those in favor say aye. Opposed. We are recessed until 1:30.

Edited by:

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